



MEDITERRANEAN PERSPECTIVES



Interfaith Relationships  
and Perceptions of the Other in  
the Medieval Mediterranean  
Essays in Memory of  
Olivia Remie Constable

*Edited by* Sarah Davis-Secord  
Belen Vicens · Robin Vose

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# Mediterranean Perspectives

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Robin Vose  
Editors

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Perceptions of the  
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Mediterranean

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## Praise for *Interfaith Relationships and Perceptions of the Other in the Medieval Mediterranean*

“This volume brings together eleven innovative and important essays on the Iberian Peninsula and the Mediterranean world from the ninth to eighteenth centuries. They form an eloquent homage to Olivia Remie Constable, whose work has inspired in her colleagues and students a rigorous attention to sources (their production, their contextualization, their vocabulary) and an appreciation of the intricacies of commercial, legal, and scholarly networks. The Mediterranean here appears as a region in constant movement, a zone of shifting and overlapping frontiers constantly redrawn through commerce, intellectual exchange, and conflict. It is a book that Remie Constable would have enjoyed reading.”

—John Tolan, Université de Nantes, and author of *Faces of Muhammad: Western Perceptions of the Prophet of Islam from the Middle Ages to Today*

“Every essay in this volume will become required reading for anyone interested in how Christianity, Islam, and Judaism were formed and transformed by their encounters with each other on the waves and shores of the Mediterranean. Both the production of difference and the possibilities of pluralism are illuminated in its pages. This is a collection worthy of the great historian to whom it is dedicated.”

—David Nirenberg, University of Chicago, and author of *Neighboring Faiths: Christianity, Islam, and Judaism in the Middle Ages and Today*

“This jewel of a book is so much more than a scholarly homage to the intellectual legacy of Olivia Remie Constable. Focusing on interfaith relations and cross-cultural exchange, the case studies collected in the volume question the relevance of geographic, temporal, linguistic, and most importantly, disciplinary boundaries, making a compelling case for the continuing vitality of Mediterranean Studies and its capacity to transform the entire field of medieval history.”

—Maya Soifer Irish, Rice University, and author of *Jews and Christians in Medieval Castile: Tradition, Coexistence, and Change*

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# Introduction

*Sarah Davis-Secord, Belen Vicens, and Robin Vose*

Olivia Remie Constable was a towering figure in the fields of interfaith relations and cross-cultural exchange in medieval Iberia and the Mediterranean world. Yet because her scholarly career was cut short by her untimely death, many conversations about her research were left unspoken. This collection of essays therefore represents the efforts of many people, working both individually and in concert over several years, to pay homage to our late colleague and her scholarship. Our goal was to assemble a volume of essays both in memory of and in conversation with Remie's scholarship—which often highlighted the complexity of encounters

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between Muslim, Christian, and Jewish communities in ways that defy easy categorization.

Known for her high professional standards and her thoroughness, Remie left no stone unturned as she combed all available sources in pursuit of clearly-defined analytic objectives, as demonstrated in her groundbreaking early work on the economic history of Muslim Spain. Yet she also understood very well the importance of taking a wider view from time to time, and she was equally fascinated by other regions of the Mediterranean world—where she addressed a diversity of themes that could range from chess to art to food, clothes, bathing, and “religious noise” (such as public calls to prayer). Remie knew that developments in religious, social, cultural, legal, political, and economic history were always intertwined, and she was not afraid to delve into new territory whenever necessary, even crossing over the old disciplinary divide between medieval and early modern history. She taught her students to do the same, and that legacy deserves to be passed on now more than ever.

This book thus arose from a desire to reflect on and celebrate Olivia Remie Constable’s scholarly contributions. At the same time, the editors agreed that she would not have appreciated a memorial that did not itself make an important contribution to the ongoing pursuit of historical research. We asked authors to limit their explicit response to Remie’s own work and rather bring together and share the kinds of studies that she would most have enjoyed reading herself: innovative, thought-provoking, interdisciplinary investigations of cross-cultural exchange, ranging widely across time and geography. We were fortunate to receive such an enthusiastic response from scholars representing many different perspectives and methodologies, and working in a variety of sub-fields, all bound together by a common interest in interfaith relations.

The essays in this volume share a commitment to studying how different societies have historically perceived their religious “Others,” and how real-world interactions have shaped and have been shaped by such perceptions. The Mediterranean, broadly understood as a region, has long been an important site for these sorts of investigations. And while the Mediterranean provides an overarching background for this volume, some papers focus more narrowly on specific sites or polities (particularly in the Iberian Peninsula) while others expand to a near-global scale. By the same token, while the “medieval” period is our primary temporal frame, we had no qualms about disrupting that frame with the inclusion of essays that range as late as the seventeenth and eighteenth centuries.

In so doing, this volume serves to demonstrate the quality, scope, and breadth of work currently being done in our field. Questions about interfaith relations in history are not new, especially for medievalists working in Iberia and the Mediterranean region as a whole (as will be discussed further below), but they are today being addressed with an unprecedented degree of sophistication and nuance. We have learned to move beyond simplistic concepts of “convivencia,” “colonialism,” or “(in)tolerance” to realize that all of these and more could simultaneously exist to varying degrees.

Modern scholars realize that it is impossible to fully untangle the complexities of the past from just one point of view, or one set of primary sources. Hence the importance of drawing on as many perspectives, sources, and interpretive methods as possible to build up kaleidoscopic and dynamic, rather than unidimensional or static, glimpses of historical events. In this volume we thus see examples of scholars engaging with Church art, literature, historiography, scientific treatises, and polemics, to name just a few approaches, in order to study how the religious “Other” was depicted over a wide range of places and across time, and to serve different purposes and audiences. There are also microhistories that examine the experiences of individual families, classes, and communities (even ships’ crews) as they interacted with one another in their own specific contexts. Several of these microhistories, grouped together in part II of this book, tend to draw their source material from Church or state archives as well as jurisprudential texts, and so naturally they focus on the later medieval and early modern periods—when such sources became (relatively) plentiful.

Our intention has not been to “cover” the entirety of such a broad topic as the history of all interfaith relations across the medieval Mediterranean, but rather to bring together samples of exciting recent work that will be of interest to seasoned experts as well as to novices who wish to find their own ways forward. Inevitably, this has resulted in a certain amount of concentration in some areas and gaps in others. About half of the essays focus on Iberia, for example, as opposed to other regions of the Mediterranean. Byzantine territories in particular do not emerge as a focal point in any of our essays. And while Christians, Muslims, and Jews appear in many guises, more could certainly be said about sectarian divisions within these communities as well.

Nevertheless, each essay in this collection has implications that reach far beyond its particular topic. Each is a model of method, rigor, and analysis

that can be applied to other contexts; each will also undoubtedly inspire comparisons and analogies for scholars who may be working on similar topics but in quite different ways. And, taken as a whole, these essays provide a composite portrait of a fascinatingly complex world. That is how we hope this book will be received: as a collaborative contribution to our understanding of how interfaith relations, both real and imagined, productive and destructive, often tragic but at times bordering on the comic, have developed and unfolded across a key period in human history. That history, as we well know, has had significant lasting consequences and legacies (including periodic redeployments to serve a wide variety of modern political agendas). The findings presented here are therefore particularly important insofar as they shed helpful new light, from new angles, on some old and often vexed problems.

### MEDITERRANEAN STUDIES

This project naturally intersects with, and is intended to contribute to, existing scholarly landscapes such as the constantly evolving field of “Mediterranean Studies.” Research focused on this region has long been central to conceptualizing the Middle Ages—even if that centrality has not always been acknowledged. But over the last several decades in particular, Mediterraneanists have struggled to critically re-define and re-frame their area of interest. One of the major points of contention centers on how themes of “unity” and “disunity” have impacted the history of this key region. Despite the fact that during the medieval period, the Mediterranean was not unified in politics, culture, language, or religion, both medieval people and modern scholars retained a memory of the unity of the Mediterranean under Roman rule. So the presence or absence of Mediterranean unity—the presence of it during the Roman period and its abrupt end in late antiquity—can in some ways be seen as a defining aspect of the period which we commonly call “medieval.”

It is also true that much of the foundation for defining Mediterranean Studies was laid long before the rise of scholarly societies, journals, and organizations dedicated solely to it as a coherent field. In fact, two of the scholars to whom we owe much of our conception of the Mediterranean region as a unit of study were working on questions of their own, unrelated to conceptualizing a new field. And yet, their wide-ranging notions of what the Mediterranean Sea was, and how it worked, have been

essential for virtually all later work in the area, whether or not that work explicitly engages with their ideas.

The earliest of these scholars, the Belgian historian Henri Pirenne, was engaged not with the question of whether or not the Mediterranean Sea was a unity in the Middle Ages—he took it as a given that it was not—but with that of precisely why it stopped being a unity after the end of the Roman Empire.<sup>1</sup> For him, the question was a fundamental matter about what caused the Middle Ages to have the character that it did: a fractured Mediterranean economy, radical decline in cross-sea communication and shipping, the shifting northward of the center of political power into central Europe (which had once been at the periphery of the Roman world), and the general localization and demonetization that characterized the early medieval economy of Latin Christendom.

For Pirenne, the answer to what broke the Roman Mediterranean's unity lay in conflictive religious relationships—specifically, the rise of Islam and the religio-cultural and linguistic fracturing that was presumed to have followed upon the Muslim conquests of the southern and western shores of the Mediterranean. Not only was this a cultural matter, however, but also an economic and political one: Muslim traders who came to dominate the shipping lanes of the early medieval Mediterranean, in Pirenne's view, found nothing of value to trade with the Christians of the northern shores. Thus ended the economic unity of the Mediterranean that had been a hallmark of the Roman Empire, which had directed a state-based taxation and distribution economy that saw products from around the Mediterranean being shipped to and from Rome itself. And with the loss of cultural, religious, linguistic, and economic unity, so too went political unity. Pirenne asked how Europe and the Mediterranean were transformed from being a part of a centralized Roman Empire to a fractured and decentralized late antique world, and from there to the reformulated political centralization under Charlemagne—and the answer, he decided, was the divisive influence of Islam. Such simplistic conclusions are no longer widely accepted, but Pirenne's assumptions about the corrosive effects of religious difference remain influential.

A later historian, who was also writing about a much later period, is the French writer Fernand Braudel. His work on the early modern Mediterranean was specifically about the reign of Philip II (1556–1598),

<sup>1</sup>Henri Pirenne, *Mohammed and Charlemagne*, trans. Bernard Miall (London: George Allen & Unwin Ltd., 1939).

but his approach has since been abstracted and generalized by generations of Mediterranean scholars, who have found in his work justification for thinking about the Mediterranean as a unity in cultural, geographic, and environmental terms.<sup>2</sup> By switching his analysis from large-scale questions like those which occupied Pirenne, to small-scale acts of exchange and shared culture, Braudel found a Mediterranean that was united in many ways that surpassed the political. The environmental and geographical aspects of the Sea were, to Braudel, far more important in defining it than were political ruptures: looking at the *longue durée* suggested far more continuity than discontinuity. Braudel also began the process of theorizing how we can study a “sea” as a unit. His answer was to include not only the waters and shores, but the hinterlands as well. The common connectors between the sea, the mountains, and the interior lands around its shores were the slowly-changing elements of culture and environment. For example, common foods found in the cultures around the seashores reflected, for Braudel, a similarity of agricultural conditions and a shared set of communications that made cultural transmission easy.

The very different Mediterraneans of Pirenne and Braudel have provided scholars with much to discuss and debate, with many of them directly refuting these earlier works and others simply adding nuance. Some of the scholars who took aim at Pirenne have sought to overturn his notion of Islam as directly confrontational to Christianity, and to find far more cultural unity in the Mediterranean than his theory allows for. And many who objected to Braudel’s thesis have looked away from environment and geography to envision a Mediterranean that was less coherent than his. There are too many articles and books written in answer to Pirenne and Braudel to enumerate them all, but two books in particular merit consideration because they have been instructive to new generations of Mediterranean scholars seeking to think about the Sea as a space for study. Such studies are the basis for several of the essays in this volume, such as the opening essay by Tom Burman.

The first of these is by Michael McCormick, who by focusing on economic connections across the late antique and early medieval Mediterranean proposed a region that was far more interconnected and unified in those

<sup>2</sup>Fernand Braudel, *The Mediterranean and the Mediterranean World in the Age of Philip II*, trans. Siân Reynolds, 2 vols. (New York: Harper & Row, 1972).



centuries (despite its diversity) than Pirenne's vision allowed.<sup>3</sup> By amassing a wealth of data points for economic travel—including brief mentions in sources indicating, or even just implying, that someone or something moved across the Mediterranean on a ship—he showed that economic communications across the Mediterranean continued long after the supposed break between the northern and southern shores of the Sea. In fact, he found considerable evidence for ships coming and going between many ports, crisscrossing the sea-lanes north-south and east-west throughout Late Antiquity and the early Middle Ages.

The difference between the imperial Mediterranean and the post-Roman one was not that trade, travel, and communications which once had thrived suddenly halted. Rather, McCormick found that the difference was two-fold: firstly, without Rome as a clearing-house and director of all trans-Mediterranean shipping as it once had been, cargo shipments were decentralized and sea-lanes crisscrossed the waters rather than radiating out from Rome. Secondly, he argued, the difference lay primarily in the nature of the sources rather than in the perceived configuration of reality. In other words, surviving texts from the late antique and early medieval Mediterranean were less concerned with economic affairs than they were about other things—particularly related to religion. But while economic activity was not the explicit subject of most texts from the time period, it could be inferred by understanding the implications of other acts of maritime travel. Every account of a pilgrim heading over the Sea to Jerusalem, for example, implied a ship on which that pilgrim sailed. And every such ship must have been filled with something more economically valuable than pilgrims: cargo of some type, unmentioned in the texts, also must have been moving from port to port.

In keeping with Michael McCormick's analysis of the early medieval Mediterranean as a region that was more interconnected than Pirenne had allowed, Peregrine Horden and Nicholas Purcell sought to respond to Braudel's vision of a Mediterranean Sea connected by consistency of geography and climate.<sup>4</sup> In fact, Horden and Purcell did a close analysis of the climates of several locales (which they call micro-regions) and found that diversity—topographical, environmental, climatological,

<sup>3</sup>Michael McCormick, *Origins of the European Economy: Communications and Commerce, A.D. 300–900* (Cambridge: Cambridge University Press, 2001).

<sup>4</sup>Peregrine Horden and Nicholas Purcell, *The Corrupting Sea: A Study of Mediterranean History* (Oxford: Blackwell, 2000).

agricultural—was the more prevalent factor around the Mediterranean’s shores than was sameness. But this diversity is precisely what fueled a certain unity: need for products that were not grown locally compelled Mediterranean peoples to seek connection across the seas. Because some places had things that were desired in other places, and travel across water was in many ways easier than across land, the Mediterranean Sea became a site for connectivity through communications. Thus in light of this conception, political, religious, environmental, or linguistic disunity should in no way inhibit our thinking about the Mediterranean as a legitimate and needful unit of study—and of its peoples as potentially experiencing both unity and disunity simultaneously, in various ways, and in a wide variety of relationships with “Others,” depending on their context and circumstances.

All who follow these founding scholars with their own research in and around the premodern Mediterranean thus work with an important legacy of questions about unity/disunity, and about how to study a place that contained such multitudes of religions, economies, laws, languages, and cultures. And the work continues. David Abulafia’s recent *The Great Sea*, for one, reminds us again of the role of human actors within the long span of Mediterranean history, investigating the degree to which individuals and groups shaped patterns of political and economic unity throughout the millennia and right up to the present.<sup>5</sup> Many other studies are ongoing, and there is no telling what new findings await on the horizon; but there is no question that they will make further contributions to the study of problems, old and new, with ongoing relevance.

Those who work within Mediterranean Studies today assert in particular that this is an area with at least equal importance to historical units based upon national boundaries (which seek, at their root, ancestral descent from national origins). As such, the field of Mediterranean Studies challenges the national(ist) paradigms that underlay many traditional medieval and early modern studies. It also challenges models of premodern European history that prioritize Latinate, Christian societies especially around a perceived cultural “core” in northern Europe. Mediterranean Studies complicates these notions by highlighting connections, comparisons, and conflicts between and across numerous religious, linguistic, cultural, and political boundaries within the Sea and beyond. Much of the

<sup>5</sup>David Abulafia, *The Great Sea: A Human History of the Mediterranean* (Oxford: Oxford University Press, 2011).

recent surge in publications dedicated to Mediterranean Studies may be due to the growing appeal of cross-cultural, cross-linguistic, inter-religious studies that are dedicated to understanding connections between communities that might otherwise be understood as merely separate or conflictive. And those are precisely the sorts of studies that are to be found in this collection.

## INTERFAITH RELATIONS AND PERCEPTIONS IN MEDIEVAL IBERIA

If there is one region of the Mediterranean that has garnered the lion's share of such research to date, it is surely the Iberian Peninsula. This is in part because it was for so long a home to members of all three Abrahamic faiths (before Jews and Muslims were tragically expelled). It is also a particularly well-documented part of the premodern world, with rich archives surviving for some communities that date back to the twelfth century and even before—as well as the many other cultural artifacts left by members of all three major faith communities. Iberian polities therefore present scholars with a valuable set of historical laboratories, as it were, sites where questions and theories about different aspects of inter-group relations can be assayed with greater refinement and detail than is often the case elsewhere. Hence the preponderance of Iberian-focused essays in this collection—essays which speak primarily to the specifics of their particular times and places, but may potentially shed light on similar situations across the Mediterranean basin.

Two paradigms have loomed large in the study of medieval Iberia since at least the mid-twentieth century. The *convivencia* and the *reconquista* paradigms have posited, respectively, either a largely harmonious interaction between Iberian Christians, Muslims, and Jews, or a “clash of civilizations,” manifest in the protracted military conflict between Christians and Muslims (and sometimes Jews) over land each understood as theirs by right. Despite the persistent ideological appeal of both approaches (holding the promise of ecumenical dialogue for some, and historical justification of Catholic-Christian-Spanish national identity for others), most scholars of medieval Iberia today agree that these are deeply flawed paradigms which ought to be rejected. Consensus on rejection, however, does not mean the field has turned the page. Old paradigms linger, if for no other reason than to counter political instrumentalization of the period,

and to engage those medievalists outside the field whose points of reference for medieval Iberia continue to be *convivencia* and/or *reconquista*.

One enticing new substitute paradigm bears another catchy Spanish word that is meant to complicate visions of rosy *convivencia*: *conveniencia* (which translates to “convenience”). Put side-by-side, the terms evince their connection: where *convivencia* highlights harmonious togetherness, *conveniencia*, as articulated by Brian Catlos, cautions us to see pragmatism—that is, socioeconomic vested interests lying at the heart of interfaith cooperation.<sup>6</sup> In other words, Muslims, Christians, and Jews generally worked together only when it served their purposes, not out of a sense of having superseded religious-cultural differences. While the insight is helpful, the addition of another layer of terminological abstraction does not eliminate our need to keep digging, to keep refining and testing our historical evidence in hopes of more fully understanding past realities in all their complexity.

Examining interconnectedness itself, and the precise contexts in which Muslims, Christians, and Jews actually came into contact with one another, has moved scholarship forward and away from all-encompassing narratives that lent themselves to predetermined relational outcomes. Some forty years ago, to take one example, the dominant narrative around *mudéjar* experiences was one of oppression: “Mudejars suffered history,” as Father Burns aptly put it.<sup>7</sup> Hence this narrative privileged the many clear instances of discrimination and persecution of Muslims by Christians, rather than broadening the study of Christian-Muslim relations in ways that need not always interpret those relations as evidence supporting a narrative of oppression. In more recent years, the focus seems to have shifted toward microstudies (several examples of which can be found in this volume)—recognizing that interfaith relations were nuanced and contingent, and clearly deserving of more contextualized study. Again, no one mold will quite fit.

There is clearly still much work that needs to be done, and this collection aims to showcase some of the most promising avenues that are currently being explored. Contemporary study of medieval Iberian interfaith

<sup>6</sup>Brian A. Catlos, “Contexto y conveniencia en la Corona de Aragón. Propuesta para un modelo de interacción entre grupos etno-religiosos minoritarios y mayoritarios,” *Revista d’Història Medieval* 12 (2002): 259–68.

<sup>7</sup>Robert I. Burns, “Muslims in the Thirteenth-Century Realms of Aragon: Interaction and Reaction,” in *Muslims under Latin Rule, 1100–1300*, ed. James M. Powell (Princeton: Princeton University Press, 1990), 102.

relations and perceptions is pushing traditional boundaries, whether geographic, temporal, ethnic and cultural, and/or linguistic. One should not think of medieval Iberia as the prefiguration of the modern countries of Spain and Portugal (and Andorra) and their respective frontiers, but rather as an interconnected world stretching beyond the Iberian Peninsula into North Africa, southern France, and elsewhere. Chronologically, conventional cut-off dates for the end of the medieval period simply will not do, for exploration of Old and New Christian relations commands our attention beyond 1500, and even beyond 1609–1610 for that matter. There was a time when studies of medieval Castile were synonymous with medieval Christian Iberia. While this is no longer the case (thanks in part to decades of fine scholarship centered, for example, on individual *comunidades autónomas* in Spain), works that focus on Castile (and Castilian literature) still dominate the field. Some of our essays fall within this category, while others do not; all work together to enrich our field of vision.

An interdisciplinary field such as this one calls for increased dialogue and comparative work across disciplines. By and large the potential for comparative work has not been fully realized. Differ as they may, the multicultural contexts of the Maghrib, Sicily, the Balkans, and the Levant also offer opportunities to broaden the questions that frame our inquiries. Even within the Iberian Peninsula, studies that cross the real and imagined boundaries that separated Christian polities from Muslim polities (and both from Jewish lived realities) are few and far between. It is unlikely, and perhaps even undesirable, that any single scholar might become conversant in all of the necessary languages, cultures, and histories of medieval Iberia, let alone the Mediterranean as a whole; nor can any scholar hope to master all the myriad documentary types and archival depositories of this vast region. All the more reason for historians, literary scholars, art historians, archeologists, musicologists, paleogeneticists, and experts in any number of other fields, to work together.

### A NOTE ON LANGUAGES

Owing to the broad range of articles in this volume, there is a certain degree of variation in language usage from one essay to the next. For the most part, the editors have chosen to maintain the linguistic and stylistic preferences of each individual author, so that in some cases personal and place names are rendered in modern English; whereas in others, Castilian, Latin, Catalan, Portuguese, Arabic, Greek, Persian, Turkish, Hebrew, and

other forms are more likely to appear. Where confusion seems possible, we have added modern place names in brackets to clarify the identity of a medieval (or early modern) site. Otherwise, a certain degree of inconsistency and variety seemed appropriate as a reflection of the diversity of our historical materials.

All Arabic, Persian, and Turkish passages have been transliterated according to the *International Journal of Middle East Studies* system. Translations are by the essay authors unless otherwise indicated.

**Acknowledgments** All scholarly projects of this size accrue a long list of debts to friends, family, and colleagues that can never be fully repaid. That is especially true for a book dedicated to the commemoration of a beloved colleague, friend, and advisor who left us far too soon. Remie Constable's impact on the lives of the contributors and editors of this book is immeasurable, and she deserves our first thanks. Gratitude is also due to all of the people working in the broad fields of Mediterranean and Iberian Studies who have interacted with and advanced Remie's work; it is our hope that her intellectual legacy will continue to live on for a long time in our shared commitment to rigorous, innovative scholarship.

Gratitude is also due to Amy Remensnyder, the outside reader for the press, whose constructive insights and enthusiastic encouragement helped steer the volume to good port. The editors also thank Meagan Simpson and the whole team at Palgrave. Too many colleagues and friends have contributed inspiration, advice, and support to the editors and to each of the essay contributors over the last few years for all to be mentioned individually, but we are truly grateful and look forward to celebrating with many of you soon. The idea for this volume arose from two conference sessions at the Medieval Academy meeting in 2015, honoring Remie's legacy in the aftermath of her passing. In addition to papers by several of this volume's contributors, there were presentations by Paul Freedman, Karla Mallette, Ben Ehlers, and Hussein Fancy at these two sessions, with Teo Ruiz and Dan Smail as respondents; all of whom we thank for their work honoring Remie. Finally, thanks and recognition are due to Matthew Bell, John Van Engen, Margaret Meserve, and to the entire community of medievalists at the University of Notre Dame.



PART I

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## Perceiving the Other



# The Four Seas of Medieval Mediterranean Intellectual History

*Thomas E. Burman*

## *HOUSING THE STRANGER AND ITS MANY MEDITERRANEANS*

There are many Mediterraneans in Olivia Remie Constable's seminal work *Housing the Stranger in the Mediterranean World: Lodging, Trade, and Travel in Late Antiquity and the Middle Ages*. She entitled the introduction "A culture of travel: words, institutions, and connections," and much verbal and institutional travel there is in this beautiful book: the Greek word *pandocheion*, and the hospitable institution it denoted, rising up in ancient Greece, sweeping across the late antique world, morphing into Semitic forms such as the Arabic *fundūq*, jumping back into the Indo-European language family—*fontico*, *fondaco*, *fondech*, *alhóndiga*—and even wending its way, though notably changed both linguistically and institutionally, back onto Greek-speaking tongues as the Byzantine

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S. Davis-Secord et al. (eds.), *Interfaith Relationships and Perceptions of the Other in the Medieval Mediterranean*, Mediterranean Perspectives, [https://doi.org/10.1007/978-3-030-83997-0\\_2](https://doi.org/10.1007/978-3-030-83997-0_2)

*foundax*.<sup>1</sup> The medieval Mediterranean here is a sea of movement, the ready connections between cities and societies on all its coasts insuring that just about anything could be transported quickly to almost anywhere.

But the Mediterranean of *Housing the Stranger* is also a zone of spacious frontiers—Greco-Syriac-Coptic Christianity and Arab-Islam slumping over top of each other in a wide band from western Anatolia to the Nile; Arab-Islam overlapping (and being overlapped by) Latin-Romance Christianity from the Maghrib to the Pyrenees. Just as crucial to her story as all the relentless movement, these frontier zones were where the morphing—both of institutions and words—happened. Putting that Greek mouthful, *pandocheion*, into Mishnaic Hebrew (*pundāq*)<sup>2</sup> or Arabic (*fundūq*) occurred in places where these languages lived side by side for centuries; the institutional reworking of the Islamic *fundūq* into the Castilian *alhóndiga*—more government-regulated storage facility than the hostel/warehouse prototype<sup>3</sup>—took place where Arab-Islamic commercial practices thrived for generations next to Iberian-Christian ones.

Less obviously than the first two, *Housing the Stranger* discloses a third Mediterranean, a sea of distinctive temporal continuity and geographical unity. “A shared culture of trade and travel,” Constable noted, “supported the ubiquitous distribution of these institutions.”<sup>4</sup> Indeed, the constant rhythm of trade, the never-ending hum of commercial life, so alike in Barcelona, Bougie, Alexandria, Acre, Constantinople, Venice, Genoa, and Marseille is ever in the book’s background, and not infrequently at center stage. The *pandocheion/fundūq*, moreover, only flourished where the music of seaborne trade played non-stop: “Despite its broad diffusion across political, religious, and linguistic frontiers, it only established firm roots in areas close to this sea.”<sup>5</sup>

But there is a fourth Mediterranean here as well. For despite the constant movement of words and institutions through the filtering mechanisms of frontier zones against the constant background melody of trade, there is a Mediterranean of irreducible difference and difference-making. It is true that the *pandocheion/fundūq/fontico/fondaco/alhóndiga* traveled

<sup>1</sup>Olivia Remie Constable, *Housing the Stranger in the Mediterranean World: Lodging, Trade, and Travel in Late Antiquity and the Middle Ages* (Cambridge: Cambridge University Press, 2003), 1.

<sup>2</sup>Constable, *Housing the Stranger*, 14.

<sup>3</sup>Constable, *Housing the Stranger*, 171–75.

<sup>4</sup>Constable, *Housing the Stranger*, 355.

<sup>5</sup>Constable, *Housing the Stranger*, 355.

everywhere and the Greek term clung to it, but borders of language and practice often remained resolutely in place. Everywhere it traveled, the institution (like its name) became something at least somewhat different as it was integrated into different commercial, fiscal, and political regimes. Indeed, powerful players in each regional economy absorbed and adapted the *fundūq* precisely because of its value in sustaining and improving those economies.

Constable's four Mediterraneans are, of course, deeply interdependent—the spiraling movement of the *fundūq* depending on the unifying connectivity of the basin; the relentless difference-making surrounding the sea depending on the frontier region's ability both to identify the useful and to filter out the useless or even dangerous. In evoking them all through such rich and varied evidence, in minutely sketching out their interactions and interdependencies, she confected what has already become a classic work of Mediterranean history. In fact, though she was far too modest to make such claims about her work, *Housing the Stranger* is perhaps the best argument currently available for the validity of the medieval Mediterranean as a meaningful and important frame for historical research. As a fine graduate student put it recently, Constable's book “is the most concrete and compelling case I have come across” for “identifying [the] region as ‘Mediterranean,’” not least because it makes so clear how we can discuss the swirling movement of ideas and things within a culturally unified region “without diminishing the importance of difference.”<sup>6</sup>

*Housing the Stranger* is, of course, primarily a work of economic and social history, but I will be suggesting in this essay that it provides a model for how we might undertake something quite different and, at least on its surface, much more problematic: the intellectual history of the medieval Mediterranean. It is one thing to assay a coherent account of, say, *The Intellectual History and Rabbinic Culture of Medieval Ashkenaz*, as Ephraim Kanarfogel entitled his magisterial 2013 study,<sup>7</sup> or of all Latin Europe, as David Knowles did in his beautifully written *The Evolution of Medieval Thought* of two generations ago,<sup>8</sup> or even of the vibrant scholarly

<sup>6</sup>These are the words of my Ph.D. student, Catherine Perl, in a class blog post on Constable's book from September of 2018.

<sup>7</sup>Ephraim Kanarfogel, *The Intellectual History and Rabbinic Culture of Medieval Ashkenaz* (Detroit: Wayne State University Press, 2013).

<sup>8</sup>David Knowles, *The Evolution of Medieval Thought* (London: Longmans, 1962; 2nd ed., D. E. Luscombe and C. N. L. Brookes, eds., London: Longman, 1988).

culture of Islam across time, the task embraced by Sabine Schmidtke's recently founded journal, *Intellectual History of the Islamicate World*.<sup>9</sup> But the Mediterranean lands in the Middle Ages were the home of three major religious traditions, each the possessor of a vast, recondite, and endlessly elaborate scholarly tradition, employing one or another of five major classical languages (Hebrew, Greek, Latin, Arabic, plus the Aramaic-Syriac continuum), and a welter of other tongues (Coptic, Persian, Armenian, various Slavic and Romance languages) that could also be turned to scholarly uses. And each of these traditions was, moreover, as often riven by internal dispute as unified by scholarly consensus. Attempting to write the intellectual history of a region of such vast plurality seems impossible.

Yet I will be suggesting in this essay that if the intellectual Mediterranean we engage is, like Constable's, a four-fold one—at once a sea of swirling movement, a sea of filtering frontiers, a sea of enduring unities, and a sea of relentless difference-making—we will find ourselves in possession of both a fruitful, practical program for research, and an argument for the coherence and usefulness of studying something we might dare to call the “medieval Mediterranean intellectual history.”

### A SEA OF MOVING IDEAS

That a grand movement of ideas and technologies summoned an intellectual Mediterranean into being is a notion written amply, if often only implicitly, into almost everyone's conception of the Middle Ages. One cannot read very far in the tenth-century Muslim-Arabic *Epistles of the Brethren of Purity* without noticing that “they heeded the legacies of the Stoics and of Pythagoras, Hermes Trismegistus, Socrates, Plato, Aristotle, Plotinus, Nichomachus of Gerasa, Euclid, Ptolemy, Galen, Proclus, Porphyry, and Iamblichus,” as Nader al-Bizri recently put it.<sup>10</sup> Much the same thing could be said of countless Mediterranean intellectuals—the Jewish Gaon Saadya ben Yusuf al-Fayyumi absorbing Mu'tazili Muslim theology,<sup>11</sup> the Dominican polemicist and Biblical scholar, Ramon Martí

<sup>9</sup> Published by E.J. Brill since 2013.

<sup>10</sup> Nader al-Bizri, “Foreword” in *Epistles of the Brethren of Purity: Sciences of the Soul and Intellect, Part III: An Arabic Critical Edition and English Translation of Epistles 39–41*, ed. and trans. Carmela Baffioni and Ismail K. Poonawala (Oxford: Oxford University Press/The Institute of Ismaili Studies, 2017), xvi.

<sup>11</sup> See, for example, Robert Brody, *Sa'adyah Gaon*, trans. Betsi Rozenberg (Oxford: The Littman Library of Jewish Civilization, 2013), 58–78.

(fl. 1250–1284) constructing his Latin philosophical theism around al-Ghazālī’s conception of the errors of the philosophers,<sup>12</sup> St. Albert defending a thoroughly Greco-Arab-derived astrology as a Christian science,<sup>13</sup> Naṣīr al-Dīn al-Tūsī’s thirteenth-century mathematical solution to the problem of retrograde motion (the “Tūsī couple”) winding up in Copernicus’ *De revolutionibus orbium coelestium*.<sup>14</sup> And the history of the astrolabe in the Middle Ages can scarcely be told without a similarly sweeping swirl of movement: from its Greek conceptual origins in Ptolemy’s works, to the earliest surviving complete manual on its use composed in Syriac by a Christian bishop, to the exceptional astrolabes and astrolabic treatises produced by the Arabs (including the North-African “universal astrolabes” that could function anywhere in the world) to the bilingual—Latin-Arabic—astrolabes of Iberia, to Chaucer’s famous Middle-English *Treatise on the Astrolabe*.<sup>15</sup>

In general, the path of this movement, whether of philosophy or astrolabe or anything else, maps conveniently onto the migration of the *pandocheion/fundūq*—and, of course, the languages through which these journeys passed all left their imprint in similar ways. In the Latin world that handy tool was called *astrolabius*, from the Greek roots *astron* “star” and *lambanein* “to take,” but the *alidade* on the back of this “star-taker,” the thing that made it possible to measure the elevation of heavenly bodies, was etymologically Arabic (<*al-ʿiḍādah* = ruler), and each circle of

<sup>12</sup> Ann Giletti, “An Arsenal of Arguments: Arabic Philosophy at the Service of Christian Polemics in Ramon Martí’s *Pugio fidei*,” in *Mapping Knowledge: Cross-Pollination in Late Antiquity and the Middle Ages*, ed. Charles Burnett and Pedro Mantas-España (Córdoba: Córdoba Near Eastern Research Unit and London: The Warburg Institute, 2014), 153–65, at 156–58.

<sup>13</sup> Scott E. Hendrix, *How Albert the Great’s Speculum astronomiae was Interpreted and Used by Four Centuries of Readers: A Study in Late Medieval Medicine, Astronomy, and Astrology* (Lewiston: Edwin Mellen Press, 2010), 5–6.

<sup>14</sup> George Saliba, *Islamic Science and the Making of the European Renaissance* (Cambridge, MA: The MIT Press, 2007), 196–217.

<sup>15</sup> For a brief overview of these developments, see David A. King, “Astrolabes and Quadrants,” in *Medieval Science, Technology, and Medicine: An Encyclopedia*, ed. Thomas F. Glick, et al. (New York: Routledge, 2005), 57–61, but see also David A. King, “Astronomical Instruments between East and West,” in *Kommunikation zwischen Orient und Okzident*, ed. Harry Kühnel [Sitzungsberichte der Österreichischen Akademie der Wissenschaften, Phil.-Hist. Klasse, vol. 619, Veröffentlichungen des Instituts für Realienkunde des Mittelalters und der frühen Neuzeit, vol. 16] (Vienna: Österreichische Akademie der Wissenschaften, 1994), 143–98, and Robert T. Gunther, *The Astrolabes of the World*, 2 vols. (London: The Holland Press, 1932).

equal altitude on the tympanum was called an *almucantar*, likewise from Arabic (<*al-muqaṭṭarāt* = vaults). *Tympanum* itself (the round plate upon which a map of the coordinate lines of the three-dimensional dome of the heavens were projected) and *rete* (the stylized, rotating overlay that maps out the path of the sun and the locations of the brightest stars) are perfectly ordinary Latin words (meaning “drum” and “net” respectively).<sup>16</sup> We can follow the circular route, therefore, from Greece to Semitic Middle East across North Africa to the Latin culture of northern Europe in the terminology of the tool, and can grasp the same swirl of intellectual movement in the diffusion of Ibn Sīnā’s doctrine of God as the *waḥd al-wujūd* whose very essence is to exist, from Bukhara on the edge of central Asia right across to Thomas Aquinas’ teaching hall in Paris—where he had embraced it and adapted it into the distinction, foundational to his thought, between essence and existence.<sup>17</sup>

This Mediterranean of intellectual movement, clockwise from east to west, is by now familiar to all and compellingly attractive. No one leaves it out of their survey course. It is, moreover, the one vision of Mediterranean intellectual history that has inspired ambitious synthesis. John Marenbon’s *Medieval Philosophy: An Historical and Philosophical Introduction*<sup>18</sup> of 2007 is an attempt to present the philosophical activity of the whole of western Eurasia in the period from Late Antiquity to 1700 as part of a common story of the endurance and elaboration of Neo-Platonism in all the lands surrounding the Mediterranean (for him the triumph of Aristotle in the later Middle Ages is merely a change of emphasis within the “Neo-Platonic curriculum”<sup>19</sup>). In his 2016 *Medieval Philosophy: A Very Short Introduction*<sup>20</sup> Marenbon’s approach is much the same: “Medieval philosophy was practiced over an area of roughly ten million square miles, stretching from the west of Ireland to Uzbekistan, from Gothenburg to the Gulf of Aden...[T]he philosophy done in this vast region belonged to

<sup>16</sup>For an excellent description of a typical astrolabe and its use, see J. D. North, “The Astrolabe,” *Scientific American* 230.1 (January 1974): 96–106.

<sup>17</sup>See, for example, David B. Burrell, “Aquinas and Islamic and Jewish Thinkers,” in *The Cambridge Companion to Aquinas*, ed. Norman Kretzmann and Eleonore Stump (Cambridge; New York, NY: Cambridge University Press, 1993), 60–84, at 62–70.

<sup>18</sup>John Marenbon, *Medieval Philosophy: An Historical and Philosophical Introduction* (Abingdon, Oxford/New York, NY: Routledge, 2007).

<sup>19</sup>Marenbon, *Medieval Philosophy*, 3.

<sup>20</sup>John Marenbon, *Medieval Philosophy: A Very Short Introduction* (Oxford: Oxford University Press, 2016).

a single group of intertwined traditions, all going back to ancient Greece.”<sup>21</sup> The heady angular momentum of this intellectual swirl, whipped up by the rapidly crossable sea at its center, spins through Marenbon’s accounts. Indeed, chapters one and two of the latter volume are called “A Map of Earlier Medieval Philosophy” and “A Map of Later Medieval Philosophy” respectively, and while these chapters are, in fact, utterly devoid of real maps, one has no trouble plotting out the vectors of movement and influence on a mental Mediterranean map through the titles of the successive sub-divisions: “Late antiquity and its Platonic schools,” “The Beginning of Arabic Philosophy,” “Latin Philosophy in the twelfth century,” “Muslim and Jewish Philosophy in the Islamic West,” “Translations into Latin and the Universities.”

While this circular Mediterranean *translatio* of ideas and techniques is both well-known and prominent in how we think and write about the Middle Ages, it still has not been fully explored in all its dimensions. For one thing, the role of Byzantium in this rotation has come in for serious reassessment. Traditionally, Hellenic and Hellenistic Greece has been cast as the *primum mobile* that set the motion in process by the initial impetus of its scientific and philosophical brilliance, while its passive medieval Christian successor culture neither contributed nor received anything from the resulting vortex of ideas. But not only does the new *Cambridge Intellectual History of Byzantium*<sup>22</sup> have articles with titles such as “Kabbalah in Byzantium”<sup>23</sup> and “Aquinas in Byzantium”<sup>24</sup> that make it clear that the clockwise movement of ideas returned all the way back to its origins; other articles make it equally clear that by the eleventh century, Greek astronomers were consulting Arabic astronomical tables, while in about 1350, George Chrysococces wrote an astronomical treatise based directly on al-Tūsī’s Persian *Ilkhanid Tables*, themselves the product of a whole team’s astronomical observations at the high Middle Ages’ greatest observatory at Marāgha in northwest Iran.<sup>25</sup> That Arab-Persian astronomers influenced Byzantine intellectuals suggests that important adjustments must be made, moreover, to our understanding of the path of

<sup>21</sup> Ibid., p. 3.

<sup>22</sup> Anthony Kaldellis and Nicetas Siniosoglou, eds. *Cambridge Intellectual History of Byzantium* (Cambridge: Cambridge University Press, 2017).

<sup>23</sup> Moshel Idel, “Kabbalah in Byzantium,” in *The Cambridge Intellectual History*, 524–41.

<sup>24</sup> Marcus Plested, “Aquinas in Byzantium,” in *The Cambridge Intellectual History*, 542–56.

<sup>25</sup> Anne Tihon, “Astronomy,” in *The Cambridge Intellectual History*, 183–98, at 192.



that movement—not simply clockwise, but counter-clockwise back to Greece from the Muslim world as well.

Moreover, in an influential article of 2002 Dimitri Gutas pointed out what should have been another obvious flaw in the standard story of Greek wisdom's journey around the Mediterranean: the assertion that after al-Ghazālī (d. 1111) and Ibn Rushd (d. 1198), Islamic science and philosophy collapsed into decadence.<sup>26</sup> Not only has al-Ghazālī's image as an implacable enemy of philosophy become nearly impossible to maintain;<sup>27</sup> more importantly, it is now clear that Ibn Sīnā (d. 1073) set off a profoundly creative, centuries-long philosophical movement specifically in the eastern Islamic lands with his imaginative reworking of Aristotle's thought in a distinctively Neo-Platonic key. Some of the most important of these works found Latin translators in the twelfth century, of course, the massive *Cure* among them, and it was through them that Aquinas was able to interact so creatively with Ibn Sīnā's philosophy. But others of Ibn Sīnā's brilliant works were never known in the West, such as *Pointers and Reminders*, a daring teaching tool that set out philosophical problems for students to complete as they mastered Aristotle's thought.<sup>28</sup>

All these works, though, were known in the Islamic East, and they definitively set the terms of philosophical study there for centuries. Indeed, from Ibn Sīnā's lifetime on, rather than writing commentaries on Aristotle, philosophers in the central Islamic lands commented almost exclusively on Ibn Sīnā's works, including the challenging *Pointers and Reminders*. Among the sequence of brilliant Muslim philosophers that Ibn Sīnā's thought engendered, some opposed him on many points, Fakhr al-Dīn al-Rāzī (1149–1209) notable among them, while many others, like the polymath astronomer-philosopher al-Tūsī, adhered to most of his positions. All their works attest, however, to the centrality Ibn Sīnā's thought and to the consequent fecundity of Islamic philosophy after the eleventh century. Not surprisingly, Ibn Sīnā's influence spread well beyond the circles of Muslim philosophers. Muslim theologians readily adopted much of his philosophy into *kalām*, and non-Muslim scholars embraced his system

<sup>26</sup>Dimitri Gutas, "The Heritage of Avicenna: The Golden Age of Arabic Philosophy," in *Avicenna and his Heritage*, ed. J. L. Janssens and D. de Smet (Leuven: Leuven University Press, 2002), 81–97.

<sup>27</sup>Here see Frank Griffel, *Al-Ghazālī's Philosophical Theology* (Oxford: Oxford University Press, 2009), *passim*.

<sup>28</sup>See Gutas, "The Heritage of Avicenna," *passim*, and Marenbon, *Medieval Philosophy*, 338–39.

as well. Bishop Gregory Barhebraeus (1226–1286), Syrian Orthodox *maphrian* (second highest prelate within the Syriac Orthodox Church) in Baghdad, adopted many of Ibn Sīnā’s positions in his Syriac philosophical summa, *The Cream of Science*.<sup>29</sup> This later Avicennan philosophical tradition in the East was unknown to medieval Latin intellectuals and (perhaps consequently) ignored by modern western scholars until quite recently, and it requires a further correction to our maps of moving ideas in the Middle Ages. Rather than stalling out during a necessary western journey somewhere between Baghdad and Cairo in the eleventh century, Islamic speculative thought, energized by Ibn Sīnā’s enormous accomplishment, set off a whirlwind of its own that embraced the Middle East and Iran and culminated in the brilliant philosophical theology of the Persian Shi’ite Ṣaḍr ad-Dīn Muḥammad Shīrāzī (c. 1571/1572–1640), usually known as Mulla Ṣadrā.<sup>30</sup>

### A SEA OF FILTERING FRONTIERS

But even if we told a corrected version of the Mediterranean story as a clockwise swirl of ideas and technologies—one updated to include a far more dynamic Byzantium, and the brilliance of post-Ibn Sīnā philosophy in the East—we would still be far from a full picture of Mediterranean intellectual history. For sketching out the swirl of ideas tends to erase the wide Mediterranean zones of linguistic and religious overlap, what Jerrilynn Dodds calls “expansive, receptive frontier(s),”<sup>31</sup> from the map—the very places where there were people who could, in fact, recognize useful ideas and techniques for what they were, and could do the changing of what needed to be changed to make them accessible and useful for a different linguistic/cultural/religious world. Neither the word *pandocheion* nor the institution it denoted made their way around the Mediterranean

<sup>29</sup> See Herman Teule, “The Transmission of Islamic Culture to the World of Syriac Christianity. Barhebraeus’ Translation of Avicenna’s *Kitab al-Isharat wa l-tanbihat*. First soundings,” in *Redefining Christian Identity: Cultural Interaction in the Middle East since the Rise of Islam*, ed. J. van Ginkel and H. Murre (Leuven: Peeters, 2005), 167–84, and Herman Teule, “Barhebraeus,” in *Christian-Muslim Relations: A Bibliographical History*, vol. 4, 1200–1350, ed. David Thomas et al. (Leiden: E. J. Brill, 2012), 588–95.

<sup>30</sup> Majid Fakhry, *A History of Islamic Philosophy*, 3rd ed. (New York: Columbia University Press, 2004), 314–21.

<sup>31</sup> See Dodds, “Martial and Spiritual at San Baudelio de Berlanga” in this volume (below).

without such reworking at the hands of frontier people who could live and function in two (or more) languages and cultures.

There have, of course, been some excellent studies of the role of these frontiers—what might be called cultures of translation—in the intellectual history of the Mediterranean. Thomas F. Glick’s rigorously social-scientific approach to understanding acculturation in the Iberian frontier zone issued in a series of studies that illuminate how technologies and ideas moved between Muslims and Christians.<sup>32</sup> Dimitri Gutas, through skillful reading of the much richer surviving text base pertaining to the Greek-to-Arabic translation movement, has shown that caliphal political culture and the social aspirations of bureaucratic classes of the early Islamic world fundamentally shaped the choices of translators.<sup>33</sup>

Wherever they lived, moreover, Jews occupied an intellectual and linguistic frontier, so it is not surprising that some recent work on Jewish intellectual history has contributed seminally to our understanding of how intellectual frontiers work. In her study of Bahya ibn Paquda’s eleventh-century *Duties of the Heart*—one of the most influential spiritual treatises in Jewish history—Diana Lobel has described *A Sufi-Jewish Dialogue*, as the first part of her book title has it.<sup>34</sup> Sarah Stroumsa, moreover, has argued that Maimonides was not simply a Jewish thinker deeply influenced by major currents of Arab philosophy, but, more particularly, an “Almohad intellectual,” whose legal works in particular strongly reflected basic elements of Ibn Tūmart’s religious movement that carved out an empire in the Maghrib and Iberia in the twelfth century.<sup>35</sup>

But in general we know much less about the mechanisms of these filtering frontiers than we do about the swirl of ideas that crossed them. To start with, the fact that frontier intellectuals did indeed play a key role in choosing what should be adopted, translated, embraced, and what should

<sup>32</sup>Thomas F. Glick, *Irrigation and Society in Medieval Valencia* (Cambridge: Belknap Press of Harvard University, 1970); *Islamic and Christian Spain in the Early Middle Ages*, 2nd rev. ed. (Leiden: E. J. Brill, 2005); *From Muslim Fortress to Christian Castle: Social and Cultural Change in Medieval Spain* (Manchester: Manchester University Press, 1995).

<sup>33</sup>Dimitri Gutas, *Greek Thought, Arabic Culture: The Graeco-Arabic Translation Movement in Baghdad and Early ‘Abbāsid Society (2nd–4th/8th–10th centuries)* (London: Routledge, 1998).

<sup>34</sup>Diana Lobel, *A Sufi-Jewish Dialogue: Philosophy and Mysticism in Bahya ibn Paqūda’s Duties of the Heart* (Philadelphia: University of Pennsylvania Press, 2007).

<sup>35</sup>Sarah Stroumsa, *Maimonides and His World: Portrait of a Mediterranean Thinker* (Princeton: Princeton University Press, 2009).

not has received too little attention. Charles Burnett provides an excellent example of the kind of work that can be done along these lines in a seminal article entitled “The Coherence of the Arabic-Latin Translation Program in Toledo in the Twelfth Century.”<sup>36</sup> Here Burnett argues that the translators individually and collectively appear to have followed very intentional programs, meant to serve conscious ends. Gerard of Cremona (1114–1187), for example, aware of the *penuria latinorum* in the matter of suitable textbooks for the basic curriculum of the seven liberal arts, focused partly on filling in relevant gaps in the areas of logic, geometry, and astronomy—thus his translations of Euclid’s *Elements* and Ptolemy’s *Almagest*.<sup>37</sup> More remarkable still, it looks very much as if he was using al-Fārābī’s *On the Classification of the Sciences* “as a template for the subjects to be covered” in his specifically philosophical translations—the great Muslim philosopher’s work serving, therefore, as “a checklist of textbooks” to be put into Latin. That this is so can be seen by comparing the list of Gerard’s translations, drawn up by his students in Toledo, with the section of al-Fārābī’s work that focuses on natural science. Al-Fārābī divided that subject into eight enquiries (*fuḥūs*), “and for each enquiry he specifies which text or section of a text by Aristotle (or in the Aristotelian tradition) covers that enquiry.” The textbooks al-Fārābī recommends for the first three enquiries are Aristotle’s *Physics*, *De Caelo*, and *De generatione et corruptione*, and these are listed in this order by Gerard’s students at the beginning of the section of their list called “De phylosophia.”<sup>38</sup> Gerard never finished going through the entirety of al-Fārābī’s checklist of books, dying before he could manage it all, but his work, Burnett argues, was then carried on in the same Fārābīan order by his English protégé, Alfred of Shareshill.<sup>39</sup>

So here are scholars on the Toledan frontier—where Arabic books existed in plenty, as did Arabic-speaking Jews and Christians who could teach that language to outsiders such as Gerard—carefully selecting what to translate and what not. This filtering at the frontier, moreover, happened in conversation with the great centers of Latin education north of the Pyrenees, for, Burnett also argues, while Mozarabs and Jews played key roles in the translation process, “the direction of the translation

<sup>36</sup> *Science in Context* 14, no. 1/2 (2001): 249–88.

<sup>37</sup> Burnett, “Coherence,” 257–59.

<sup>38</sup> Burnett, “Coherence,” 259–61, 278.

<sup>39</sup> Burnett, “Coherence,” 261.

enterprise remained preeminently in the hands of foreigners, and was an export commodity.”<sup>40</sup> Newly Latinized works were immediately sent off to Paris, Bologna, and Oxford where they were eagerly consumed in the burgeoning schools.<sup>41</sup> No simple one-way process, then, the Arabic-to-Latin translation movement on the Iberian frontier responded to powerful energies in both the source culture (the extraordinary creativity of medieval Arab philosophy) and the target culture (the hunger for books among Latin scholars newly enthralled with natural philosophy). The bilingual intellectuals in Toledo and the Ebro River valley, for their part, did the crucial work of managing, aligning, and coordinating these intellectual movements through choosing and translating texts.

But these frontier intellectuals needed not only to move between two languages. They also had to go back and forth between two cultures—two complex bodies of assumptions, beliefs, texts, and reading practices. It is just here that we catch sight of a second area in need of much more exploration. To move between classical Arabic and medieval Latin, foreign-born Latin translators often relied on local Jews or Mozarabs to first translate the Arabic original into a local Iberian vernacular (either colloquial Arabic or Romance), on the basis of which the Latin cleric would create the Latin translation. At the frontier, therefore, communication between the metropolitan languages of classical Arabic and Latin often depended on a local, intermediating language.

There is evidence to suggest that similarly local, intermediating cultures existed where civilizations overlapped, and it is natural to wonder if such intermediating cultures also played essential roles in the complex intellectual filtering that happened at frontiers. Maribel Fierro, for example, has argued that Alfonso X’s thirteenth-century ruling program for Castile was modeled essentially on the governing practices of the Almohad movement that had dominated Iberia for much of the twelfth century. In particular, Alfonso El Sabio’s “profound institutional and legislative reform” and “direct involvement... in cultural policies, with the objective of encyclopedic knowledge,” such as his patronage of large-scale translations from Arabic, had clear parallels with Almohad practice, all this making him “the last Almohad Caliph.”<sup>42</sup> As we have seen, moreover, Sarah Stroumsa

<sup>40</sup> Burnett, “Coherence,” 253.

<sup>41</sup> Burnett, “Coherence,” 253–55.

<sup>42</sup> Maribel Fierro, “Alfonso X ‘the Wise:’ the Last Almohad Caliph?” *Medieval Encounters* 15 (2009): 175–98, at 189, 190.

likewise contends that the Jewish physician-philosopher Maimonides was an Almohad intellectual, and I have proposed that the highly unusual Latin translation of a few short works by Ibn Tūmart—the only works of *kalām* ever given Latin form—must be understood as a Christian attempt to use a key component of Almohad culture, its current of Ghazālian *kalām*, against Islam itself.<sup>43</sup> Might we properly consider that the dominant local intellectual culture in twelfth- and thirteenth-century Iberia, whether among Muslims, Jews, or Christians, was a non-sectarian Almohadism that formed the common field of reference against which the Arabic to Latin translation of texts, ideas, and stories should be understood? Much more work would be necessary before such a case could be made, but it seems to me that we cannot doubt the value of such an investigation. If local vernacular languages were the mediating ground upon which classical Arabic and medieval Latin could be brought fruitfully into conversation, it seems likely that such locally shared intellectual cultures were the terrain upon which one could recognize that, despite being composed in a thoroughly foreign language in a thoroughly foreign alphabet by believers in a different religion, Arab science, philosophy, medicine, and mysticism could be grasped and appreciated and made use of as partly familiar things.

### A SEA OF RELIGIOUS AND INTELLECTUAL UNITY

But if there were local shared intellectual cultures in frontier zones, in which scholars from varied religious and ethnic backgrounds participated, there was also a much broader intellectual and religious culture that incorporated nearly everyone surrounding the Middle Sea: a *longue durée* of religious, philosophical, and cosmological ideas so universally and widely held that they were rarely discussed or debated. To speak plainly, the medieval Jews, Christians, and Muslims who encircled the Mediterranean were emphatically not, as Horden and Purcell put it in the *Corrupting Sea*, representatives of “very different religious systems.”<sup>44</sup> Rather, Gustave von Grunebaum was far closer to the truth fully seventy-five years ago

<sup>43</sup>Thomas E. Burman, “*Via impugnandi* in the Age of Alfonso VIII: Iberian-Christian *Kalām* and a Latin Triad Revisited,” in *Alfonso VIII and his Age: Government, Family, and War*, ed. Miguel Gómez, Kyle C. Lincoln, and Damian Smith (New York: Fordham University Press, 2019), 221–40.

<sup>44</sup>Peregrine Horden and Nicholas Purcell, *The Corrupting Sea: A Study of Mediterranean History* (Oxford: Blackwell, 2000), 406, cf. 23.

when he observed that while political rivalry and linguistic difference often, perhaps generally, concealed it, there was an “essential kinship of thought and sentiment” that united the major religious cultures of the medieval Mediterranean.<sup>45</sup>

The most basic shared religious principle was this: that the one God—there is no other—speaks to humans by means of a revealed book. By Late Antiquity, this position had won the day throughout the Mediterranean basin, and while there were still groups who dissented from it, none posed any real threat to this scriptural monotheism once it had the force of the Roman Empire behind it. The later Qur’anic term “people of the book,” applied to Jews, Christians, and other religious groups as convenient, testifies to this Mediterranean status quo in the seventh century: “real” religion was scriptural and monotheistic. Mediterranean scriptural monotheism, moreover, was enriched by a common understanding about the relationship between each community and its book. In defending rabbinic Judaism’s reliance on the Talmud in his *Book of Beliefs and Opinions*, the polymath Saadya ben Yusuf al-Fayyumi (882–942) observed that “all the community of monotheists”—that is, to say Jews, Christians, and Muslims (the Arabic is *jama‘at al-muwahhidin*)—agreed that authoritative traditions handed down among the believers were a valid source of religious knowledge, because divinely revealed texts did not cover every conceivable topic or eventuality. “There are Biblical commandments,” he pointed out, “that entail qualities that are left unexplained [in the Torah], for example, the method used to prepare fringes, or build the booths for Sukkot.”<sup>46</sup> There were, once again, disagreements about what valid “tradition” consisted of, but even the most radical minimalists such as the Karaite Jews, who rejected the Talmud, nevertheless readily understood that the sacred text—whatever its theological, liturgical, and literary virtues—did not transparently speak for itself, but must be supplemented by learned commentary and authoritative interpretation. Despite the value Karaite thinkers placed on “highly independent” interpretation “in which each exegete produces his own rational evaluation of the text,” in practice “Karaite exegesis in the tenth century was highly preservative and

<sup>45</sup> Gustave von Grunebaum, *Medieval Islam: A Study in Cultural Orientation*, 2nd ed. (Chicago: University of Chicago Press, 1953), 31. The first edition of this work appeared in 1946.

<sup>46</sup> Brody, *Sa’adyah Gaon*, 32–33; cf. Saadyah ben Yusuf al-Fayyumi, *Kitāb al-amanāt wa-al-‘itiqādāt*, ed. S. Dandauer (Leiden, E. J. Brill, 1880), 14, 126–27.

conservative,” relying on the quotation of multiple earlier sources, including veiled Rabbinic ones.<sup>47</sup>

But scriptural monotheism was not the only abiding intellectual commonality among the religious cultures of the medieval Mediterranean. Supporting, inhering in, and often indistinguishable from that originally Semitic belief in the revealed texts of the one God was what Andrew Louth has recently described in the case of Byzantium as “a general, diffused Platonism ... that became part of the intellectual equipment of virtually any thinking Greek Christian,” and which included the following: “a sense that everything finds its source in a supreme being, God ... the idea that God and everything he created is good; a conviction that the human is more than the two-legged animal we observe, but is really an invisible soul ... a further conviction that the purpose of the soul is to come to behold God in an act of contemplation.”<sup>48</sup> He is surely right that these core notions were so deeply written into the culture of learning in Byzantium that their origins in Neo-Platonic thought were mostly ignored and seldom commented on. But the same set of ideas was written just as deeply into the learned culture of the whole of the Mediterranean sphere, for they are as clear in the works of Boethius, the Brethren of Purity, and Bahya ibn Paquda as they are in the Greek writers of Byzantium. Though the Aristotelian revolution that began in the Islamic world in tenth-century Baghdad deeply transformed this diffused Neo-Platonism, the Aristotle that the medieval world knew was the one that had been preserved by Neo-Platonists—he was in a real sense a Neo-Platonic Aristotle.<sup>49</sup> Not surprisingly, even among the most radical Aristotelians—such as Aquinas—Neo-Platonism thus thrived in fundamental ways, as Chenu pointed out decades ago.<sup>50</sup>

And we could pile up many additions to this list of deeply shared religious and intellectual commitment. Everyone shared, for example, the same basic understanding of the cosmos with its sub-lunar zone, several

<sup>47</sup> Miriam Goldstein, *Karaite Exegesis in Medieval Jerusalem* (Tübingen: Mohr Siebeck, 2011), 54–55.

<sup>48</sup> “Platonism from Maximus the Confessor to the Palaiologan Period,” in *The Cambridge Intellectual History*, 325–40, at 325.

<sup>49</sup> Marenbon, *Medieval Philosophy*, 2–3.

<sup>50</sup> M.-D. Chenu, *Toward Understanding Saint Thomas Aquinas*, trans. A.-M. Landry and D. Hughes (Chicago: Henry Regnery, 1964), 304–16; cf. Jean-Pierre Torrell, *Saint Thomas Aquinas* vol. 1: *The Person and His Work*, rev. ed., trans. Robert Royal (Washington: The Catholic University of America Press, 2005), 150–53.



heavens, and distant fixed stars, an architecture of the created order that Jew, Christian, Muslim, Greek, Syrian, Arab, Latin, Slav—educated people everywhere—all assented to, though almost none of it derives from their holy scriptures. Not only were Mediterranean scholars in deep agreement about a large number of fundamental religious and intellectual commitments; they were quite conscious of this, and when they wanted, quite happily put these commonalities to work. Mark Swanson, the leading American expert on the Arabic literature of the medieval Copts, has written recently about an intriguing text called *Instructive Lives* (*Siyar taʿlīmiyyah*) written by Buṭrus (Peter) al-Sadamantī, a well-known Coptic intellectual of the thirteenth century. It is a generically peculiar work: rather than a collection of saints’ lives, as its title might suggest, it contains three edifying stories of fictional holy men. Portions of these pious fictions are specifically Christian in language, such as a prayer in “The Story of Isidore of Alexandria” that is “a rich tapestry of Biblical allusion.” But at other points we find the texts studiously avoiding Christian terminology, such as when the same Isidore addresses the sultan in a way that “avoids specifically Christian language,” adopting a sort of non-sectarian, monotheistic God talk:

Isidore said:

The Doer of what is beautiful to us all is God the One,  
and you are his deputy, and his assistant in every good thing;  
because God-chosen kings are the support of religion,  
and the promise of the God-fearing.

In [the lives of?] everyone they have a beautiful portion  
and an abundant share.

For all the people live solely to themselves,  
but kings live for all the people.

Through them, that which is good arises,  
and that which gives benefit is spread widely.

Of course, in such a circumstance—subject Christian speaking to Muslim ruler—adopting a non-sectarian register makes obvious strategic sense. Still, Swanson wonders whether we can see these *Instructive Lives* as “a Christian attempt at a contribution to a corpus of literature that monks *and* lay people, mature adults *and* young Christian students of Arabic, Christians *and* Muslims, could all read with profit?”<sup>51</sup>

<sup>51</sup>Mark N. Swanson, “Once Again on the 13th-Century Flowering of Copto-Arabic Literature: Introducing an Edition of Buṭrus al-Sadamantī’s *Instructive Lives*,” *Coptica* 17 (2018): 25–42. The translation is Swanson’s.

Other striking evidence points to precisely such a Mediterranean-wide fascination with non-sectarian pious stories and advice books. Donald S. Lopez and Peggy McCracken have recently sketched out the remarkable journey of the story of the Buddha as it wended its way through the civilizations of Persia, Arab-Islam (where it was called the *Book of Bilawbar and Yudasaf*), and Georgian-, Greek-, and Latin-Christianity (where it became the story of *Barlaam and Josaphat*), and made its way into nearly every European vernacular (including Old Norse!).<sup>52</sup> It is true that the tale was thinly Islamized in the Arabic version, and Christianized more fully in the countless retellings of the story of Saints Barlaam and Josaphat. Yet the basic structure of the tale changes remarkably little in these many crossings of borders, even as it appealed to almost every conceivable religious community—including Iberian Jews and Shi'ite Muslims.<sup>53</sup> All this suggests that a shared culture of pious fables had deep roots all around the Mediterranean, and especially in the highly pluralistic frontier zones. The fact that the great Arab-Christian intellectual Yaḥya ibn 'Adī's tenth-century treatise on similarly non-sectarian moral philosophy, *The Reformation of Morals*, flourished so well among Muslim readers suggests that a more philosophical version of this pan-religious monotheistic piety existed as well.<sup>54</sup>

Petrus Alfonsi's best-selling *Disciplina clericalis* from the early twelfth century, in every way a product of the Latin-Romance-Christian frontier with Arab-Islam, suggests much the same thing. A collection of wise sayings and edifying (and often highly amusing) stories collected from Arab-Islamic sources, its first few lines, in a section entitled "On Fear," read as follows:

Enoch the philosopher, who in the Arabic language is called Edric [i.e., Idrīs], said to his son: Let the fear of the Lord be your business, and profit will come to you without labor.

Another philosopher said: Who fears God is feared by everything, but he who does not fear God, fears everything.

Another philosopher said: Who fears God, loves God; who loves God, obeys God.

<sup>52</sup> Donald S. Lopez and Peggy McCracken, *In Search of the Christian Buddha: How an Asian Sage Became a Medieval Saint* (New York: Norton, 2014).

<sup>53</sup> Lopez and McCracken, *In Search of the Christian Buddha*, 88–89, 170–71.

<sup>54</sup> Sidney Griffith, *The Church in the Shadow of the Mosque: Christians and Muslims in the World of Islam* (Princeton: Princeton University Press, 2008), 124–25.

An Arab said in his poem: You are disobedient to God, yet you pretend to love Him, and [that] is unbelievable, for if you truly love him you will obey him, for he who loves, obeys.<sup>55</sup>

That a book intended for a Christian audience begins with a (only slightly) veiled reference to the Qur'anic prophet Idrīs, who was indeed often identified by Muslim scholars with the Biblical Enoch,<sup>56</sup> is remarkable enough on its own terms, as is Alfonsi's obvious admiration throughout for Arab civilization—the Latin word *arabs* here and elsewhere in the text is used essentially as a synonym for *philosophus*. But just as intriguing is how this small book advances a similarly non-sectarian theistic piety as a crucial component of what Alfonsi says his little book will create: the *clericus disciplinatus*, the well-instructed clerk.<sup>57</sup>

Indeed, the intellectual and religious traditions of the Mediterranean's Jews, Christians, and Muslims—far from being “very different”—are, in the fullest literal sense, radically the same. A key task of Mediterranean intellectual history must be, therefore, not just recognizing this reality and consequently taking it for granted, but investigating what institutions sustained it, and what texts advocated it.

## A SEA OF DIFFERENCE

But if the religious and intellectual cultures of the medieval Mediterranean were, in fact, profoundly similar in both origins and evolution, serious differences, and serious difference-making, persisted throughout the whole period nonetheless. For one thing, a whole host of practices and institutions performed particularity continuously. Each of the major religious communities—Judaism, Latin-Christianity, Greek-Christianity, and Islam—studied its own holy book, typically in its own language and

<sup>55</sup> “Enoch philosophus qui lingua arabica cognominatur Edric, dixit filio suo: Timor domini sit negociacio tua, et ueniet tibi hierum sine labore.—Dixit alius philosophus: Qui timet deum, omnia timent eum; qui uero non timet deum, timet omnia.—Dixit alius philosophus: Qui timet deum, diligit deum; qui diligit deum, obedit deo.—Dixit Arabs in uersu suo: Inobediens es deo: simulas tamen te eum amare, et incredibile est; si enim uere amares, obedires ei. Nam qui amat, obedit.” Petrus Alfonsi, *Disciplina clericalis*, ed. Alfons Hilka and Werner Söderhjelm (Heidelberg: Carl Winter, 1911), 2.

<sup>56</sup> Yoram Erder, “Idrīs,” in *Encyclopaedia of the Qur'ān*, ed. Jane Dammen McAuliffe, last accessed July 28, 2020, [https://doi.org/10.1163/1875-3922\\_q3\\_EQSIM\\_00208](https://doi.org/10.1163/1875-3922_q3_EQSIM_00208).

<sup>57</sup> Alfonsi, *Disciplina clericalis*, 1. It is striking that there are no references at all to specifically Christian beliefs in this work, other than brief references in the prologue and epilogue.

alphabet, and their educational systems, while often quite similar, each taught only the one book (albeit with its vast repertoire of supporting texts), usually in an exclusive tongue.<sup>58</sup> When study gave way to worship, linguistic exclusiveness of one kind or another often predominated there as well.

And, of course, no amount of exuberant borrowing across linguistic and religious lines, no profundity of common intellectual resources managed to paper over, let alone resolve, the basic religious disagreements between Jew, Christian, and Muslim. Countless intellectuals saw it as their duty, moreover, to mark out, police, and negotiate the boundaries between the monotheisms. Jurists such as the Tunisian Abū al-Qāsim al-Burzulī sifted through complex legal traditions and weighed the facts on the ground in search of the proper methods of maintaining peace and proper order in pluralistic societies.<sup>59</sup> In Latin society, generations of scholars took on the role of inquisitor, deploying both coercive power and elaborate knowledge about both heretical forms of Christianity and other religions to defend Christian society.<sup>60</sup> Jews and Christians, of course, had been arguing about proper belief since antiquity, and the Qur'an itself frequently enters into debate with Jews and Christians (e.g., Q. 2:135–42). In consequence, the production of works with names such as “Rebuttal of the Christians” or “Silencing the Jews” or “Against the Religion of Islam” or “Against the Sect of Muhammad” never ceased in the medieval centuries. Some such works, moreover, became best sellers. The Arabic *Gift for the Cultivated Scholar in Rebuttal of the People of the Cross*, an anti-Christian polemic written by the converted Franciscan friar Anselm Turmeda (d. 1423) under the Muslim name ‘Abd Allāh al-Tarjumān, is extant in forty-four manuscripts.<sup>61</sup> The Latin *Dialogues against the Jews*, written by the aforementioned converted Jew, Petrus Alfonsi, survives in some

<sup>58</sup> Though Jews, of course, were exceptional in this regard inasmuch as study of the Talmud required knowledge of both Hebrew and Aramaic, and Jews in the Muslim lands also used Arabic for scholarly, though generally non-religious, purposes.

<sup>59</sup> See Janina M. Safrań, “A Tunisian Jurist’s Perspective on *Jihād* in the Age of the *Fondaco*” in this volume (below).

<sup>60</sup> See Ana Echevarria, “The Perception of the Religious Other in Alonso de Espina’s  *Fortalitium Fidei*: A Tool for Inquisitors?” and Gretchen Starr-LeBeau, “A Global ‘Infection’ of Judaizing: Investigations of Portuguese New Jews and New Christians in the 1630s and 1640s” in this volume (below).

<sup>61</sup> See the edition and Spanish translation of this work by M. de Epalza, *Fray Anselm Turmeda (‘Abdallāh al-Tarjūmān) y su polémica islamo-cristiana* (Madrid: Hyperión, 1994), 44.

seventy-six manuscripts.<sup>62</sup> While much of this literature consisted of pamphlets, there were also treatises on a vast scale: Alfonso de Espina's fifteenth-century *Fortress of Faith against the Jews, Muslims, and Other Enemies of the Christian Faith*, distributed so widely in Latin Christendom, as Ana Echevarria shows, was a bulky encyclopedia of wrong belief fully 602 pages long in one early printing.<sup>63</sup> The hugely influential "Sheikh of Islam," Ibn Taymiyyah (d. 1328), similarly compiled an Arabic refutation of Christianity that is seven thick volumes long in the modern edition.<sup>64</sup>

There is, of course, much scholarship on the ubiquitous difference-making that such works accomplish, but there is still much work to be done in understanding how this rather rich body of sources pertains to the scholarly culture of the Middle Ages. For one thing, as Harvey Hames has pointed out, modern researchers have generally approached both polemical texts and actual inter-religious disputations as if they were entirely disconnected from the broader intellectual currents in which their authors and/or interlocutors participated—as if intra-religious intellectual movements had little impact on what scholars said about their religious opponents, and their religious polemical treatises and disputations had no role in those intra-religious discussions. For Hames, the notorious Disputation of Barcelona in 1263 is not really intelligible as an attempt to convert Jews, but readily understandable as a Latin-Christian scholastic debate, focusing on questions of interest only to Latin-Christian theologians. Thus, on this occasion "Jewish texts were utilized, first and foremost, for what they could teach about the truth of Christianity that felt itself under siege from a much more powerful enemy than the Jews—philosophy."<sup>65</sup>

At any rate, shifting our attention away from what such works say about their putative targets, and toward how they relate to the great intellectual challenges of their day, has the potential to add considerable depth to our

<sup>62</sup> Carmen Cardelle de Hartmann, Darko Senekovic, and Thomas Ziegler, "Modes of Variability: The Textual Transmission of Petrus Alfonsi's *Dialogus*," in *Petrus Alfonsi and his Dialogus: Background, Context, Reception*, ed. Carmen Cardelle de Hartman and Philipp Roelli (Florence: SISMEL/Edizioni del Galluzzo, 2014), 227–48, at 227.

<sup>63</sup> Echevarria, "Perception of the Religious Other."

<sup>64</sup> For bibliography on this seminal figure see Jon Hoover, "Ibn Taymiyya," in *Christian-Muslim Relations*, 4: 824–78. See also Yossef Rapoport and Shahab Ahmed, eds., *Ibn Taymiyya and His Times* (Oxford: Oxford University Press, 2010), where Ibn Taymiyya's contemporary influence is downplayed.

<sup>65</sup> Harvey J. Hames, "Reason and Faith: Inter-religious Polemic and Christian Identity in the Thirteenth Century," *Trumah: Zeitschrift der Hochschule für Jüdische Studien Heidelberg* 12 (2002): 267–84, at 284.

understanding of the role of all this difference-making in the intellectual history of the medieval Mediterranean. The case of Ramon Martí, the most brilliant linguist in Latin Christendom between Saint Jerome and the sixteenth-century Christian Hebraists, is, I think, instructive. Martí not only knew Hebrew and Aramaic at an exceptionally high level and had read widely in post-Biblical Jewish literature, but his knowledge of Arabic and Islamic writing was just as stunning. Indeed, this *vir quaterlinguis* read the Qur'an and the Hebrew Bible in their original tongues, and could translate masterfully from both as well as from a vast corpus of Muslim and Jewish texts that had grown up around them—Qur'anic commentaries; ancient Aramaic Biblical translations; Talmudic rabbinical conversations in which Hebrew Biblical text flowed with no break into Aramaic ponderings on its meaning; Arabic collections of Prophetic traditions; al-Ghazālī's philosophical theology; and Hebrew lexicography.<sup>66</sup> But despite being the Dominican Order's best man on both Judaism and Islam, he was overwhelmingly interested only in the former. Though he wrote a brief, very learned, tractate against Islam as a young man (his *De secta Machometi* of about 1258), he never meaningfully addressed Islam as such for the remainder of his scholarly career, choosing instead to write two thick works against Jews, the *Dagger of Faith* of 1278 and the *Muzzle of the Jews*, some 250 pages long in the modern edition, completed a decade earlier.<sup>67</sup> In the absence of other evidence, such an imbalance is difficult to explain, and yet we can hardly avoid wanting to know why this prodigious Dominican who grew up in a realm populated by scores of thousands of Muslim subjects was so remarkably uninterested in refuting their religion.

Examining his anti-Jewish works in light of the important intellectual trends of Latin scholasticism in the later thirteenth century goes at least part way toward making his neglect of Islam intelligible, however. For while Martí is usually thought of as a religious controversialist, he was at the same time—though he has scarcely been studied as such—a brilliantly learned Biblical exegete. Diverting our attention from the ugly anti-Jewish

<sup>66</sup>For bibliography on Martí, see the studies in G. K. Hasselhoff and A. Fidora, eds., *Ramon Martí's Pugio Fidei: Studies and Texts* (Santa Coloma de Queralt: Obrador Edèndum SL, 2017) and my "Ramon Martí, the *Potentia-Sapientia-Benignitas* Triad, and Thirteenth-Century Christian Apologetic," in *Ex oriente lux: Translating Words, Scripts, and Styles in Medieval Mediterranean Society*, ed. Charles Burnett and Pedro Mantas-España (Córdoba: Córdoba University Press, 2016), 217–33.

<sup>67</sup>Ramon Martí, *Capistrum Iudaeorum*, ed. and trans. Adolfo Robles Sierra, 2 vols. (Würzburg: Corpus Islamo-Christianum, 1990).

sentiment in which he all too often revels, to the methods of interpretation that he applies to the Bible, allows us to see his work in a rather different way. In defending the doctrine of the Incarnation, for example, Martí asserts that David “called the Messiah his Lord” in Psalm 110:1, citing that verse first in carefully pointed Hebrew: *נָאָם יְהוָה לְאֹדְנִי שָׁב לִימִינִי* (“Yahweh said to my Lord, sit at my right hand”). This he translates into Latin as *Dixit Dominus Domino suo, etc.*, much as Jerome had done. “But it is very much to be noted,” he goes on to say, that in the ancient Targum, this verse reads differently: *אָמַר " לְמִימְרֵיהּ יְהוָה*, which Aramaic he correctly translates into Latin as *Dominus dixit verbo suo*. The erudite Dominican has seized here on a change made by an ancient rabbi as he translated, attempting to make the Bible’s puzzling Hebrew—how can the Lord, after all, speak to his Lord?—more intelligible by suggesting that he was speaking to *meymreyh*, “his word.” For a Dominican Friar, such language was vivid confirmation that, as Martí suggests here and elsewhere, the ancient rabbis actually understood the Hebrew Bible much as Christians did, with such verses as Ps. 110:1 disclosing their recognition of the divine second person of the Trinity.<sup>68</sup>

But Martí was not the only scholastic commentator to approach this verse through the lens of the Targum’s reworking of it. Two generations later the Franciscan Nicolas of Lyra, the most influential Latin Biblical commentator of the later Middle Ages, did likewise, quoting “Jonathan son of Uzziel, who was and is of such authority among the Hebrews, that none would dare to contradict him in the matter of his Aramaic translation” (i.e., *Targum Jonathan*). “Where we have [in the Vulgate] The Lord said to my Lord, etc., he translated thus: The Lord said to his word.”<sup>69</sup> Though Lyra does not actually quote the relevant Hebrew or Aramaic texts in those languages, as Martí does, his point is exactly the same: that

<sup>68</sup> Ramon Martí, *Pugio fidei* 3.3.4, Paris, Bibliothèque Sainte-Geneviève, MS 1405, fol. 253r; cf. the early modern edition: Ramon Martí, *Pugio fidei adversus Mauros et Indaeos* (Leipzig, 1687; Rpt. Farnborough, England: Gregg, 1967), 705. On this manuscript see that library’s on-line catalog at <http://www.calames.abes.fr/pub/bsg.aspx#details?id=BSGB10365> [Last accessed July 28, 2020]. On Martí and his *Dagger* see most recently the essays in Hasselhoff and A. Fidora, *Ramon Martí’s Pugio Fidei*.

<sup>69</sup> “Jonathan filius oziel qui tante auctoritate fuit et est apud hebreos quod nullus fuit ausus contradicet sibi in sua translatione chaldaica vbi nos habemus Dixit dominus domino meo etc. translutit sic Dixit dominus verbo suo” Nicholas of Lyra, *Postilla super totam Bibliam* on Ps. 110:1 (Frankfurt: M. Minerva, 1971, Reprint of the 1492 ed. published by J. Mentelin, Strasbourg), v. 3, fol. ceviiRA).

if the specialist linguistic tools, shared alike by the rabbis and both the Dominican and the Franciscan, are applied properly to the original text of the Ps. 110:1, we find that it “speaks literally [*ad litteram*] about Christ.”<sup>70</sup> As Christopher Ocker has shown, Lyra is here, and at countless other passages of his immense commentary, participating in one of the great intellectual projects of the later Middle Ages: the attempt to demonstrate that—as first theorized by Aquinas—Christian theology is grounded not in the allegorical or spiritual meaning of the Bible, but in the literal sense, the literal sense even of the Hebrew Bible.<sup>71</sup>

But if Lyra was participating in this project, so also was Martí in the previous century, for over and over we find that his scriptural arguments take the same form as his and Lyra’s exegesis of Ps. 110:1. He deploys his great linguistic ability and broad reading in post-Biblical Jewish literature to argue that, properly understood, the literal sense of the Hebrew Bible proclaims the Christian mysteries. If one properly assays Genesis 1:2, for example—by casting aside Jerome’s translation (“And in the spirit of your anger, the waters were gathered together”) in favor of a literal rendering of the Hebrew (“And by the spirit/breath of your nose, the waters were piled up”), and taking into account Rashi’s commentary on a related passage in Exodus 15:8 (“By the spirit/breath of your [God’s] nose, the seas were heaped up”)—“it is satisfactorily indicated that the Holy Spirit proceeds from God the Father and the Son equally.” Indeed, “This procession of breath/spirit from the divine nostrils must be understood literally [*ad litteram*] as concerning the [Holy] Spirit of God from God, and not as concerning any other.” The Hebrew Bible, Martí argues over and over, literally teaches Trinitarian theology.<sup>72</sup>

The fact that the nature of many of Martí’s arguments was dictated far more by on-going developments within Latin-Christian theology than by real questions that Jews and Christians debated when they did actually talk religion does not mean that he was not trying to draw lines between proper Christian belief and unbelief. It is surely not uncommon for an

<sup>70</sup> “et ideo psalmus iste ad litteram loquitur de Christo.” Nicholas of Lyra, *Postilla*, v. 3, fol. eeviiRA). See also Christopher Ocker, *Biblical Poetics before Humanism and Reformation* (Cambridge; New York: Cambridge University Press, 2002), 58.

<sup>71</sup> Ocker, *Biblical Poetics*, passim, esp. 31–48.

<sup>72</sup> “satis innuitur quod a deo patre et filio equaliter procedit spiritus sanctus ... ista spiritus processio ex naribus diuinis de spiritu dei deo intelligenda sit ad litteram et non de alio aliquo.” Ramon Martí, *Pugio fidei* 3.1.10–11, Bibliothèque Sainte-Geneviève, MS 1405, fol. 157r; Leipzig ed., 545.



intellectual or scholar of any age to claim to be doing *x* while in reality doing *y* as well, whether intentionally or unconsciously. And in the case of Martí, recognizing this helps us understand his reticence about Islam. He was surely capable of writing a 430-folio refutation of it too, but it is very difficult to see how he could have done so and, at the same time, taken up the great task that any Latin-Christian with his linguistic ability must have found irresistible: unveiling the Christian meanings in the very Hebrew words of the Old Testament.

But if we must read the countless medieval religious polemical treatises with much more sophistication, a proper Mediterranean intellectual history requires something else of us as well: recognizing that while cross-cultural borrowing and common roots were both formative of the traditions of thought around the sea, there really were intellectual disputes and developments that were unique to one religious culture. Walid Saleh's remarkable series of books and articles over the last fifteen years have essentially rewritten the history of Arabic Qur'an commentary. It is entirely correct, of course, to insist that the lavish attention paid in the *tafsīrs* to the Qur'an's occasions of revelation, its variant readings, its grammatical and lexicographical minutiae, its social-legal meaning, mystical interpretation, and the theological content, are scarcely unique to Mediterranean Islam. Every Mediterranean monotheism lavished such detail on its holy book. But Saleh masterfully demonstrates that al-Ṭabarī was not, after all, the dominant commentator in that tradition; that al-Bayḍāwī and al-Zamakhsharī, the overwhelmingly preferred interpreters in the madrasas were; that Qur'an exegesis after 1100 overwhelmingly took the form of (now entirely ignored) super-commentaries on those two works, inspired by strikingly creative new ideas about rhetoric in the Qur'an; and that the earlier consensus which put al-Ṭabarī at the center<sup>73</sup> was a tendentious, Salafī reading of *tafsīrs* past that has been taken on board all too easily by modern western scholars—in all this we see an evolution of Arab-Islamic exegetical practice that has to be understood largely on its own terms.<sup>74</sup> Despite living in a still very religiously diverse House of Islam, the

<sup>73</sup> Jane McAuliffe's otherwise extremely helpful discussion of the history of Qur'an exegesis in part one of her *Qur'anic Christians: An Analysis of Classical and Modern Exegesis* (Cambridge: Cambridge University Press, 1991) is an example of this long-dominant view.

<sup>74</sup> Walid Saleh, *The Formation of the Classical Tafsīr Tradition: The Qur'ān Commentary of al-Tha'labī (d. 427/1035)* (Leiden: E. J. Brill, 2004); idem, "Preliminary Remarks on the Historiography of *tafsīr* in Arabic: A History of the Book Approach," *Journal of Qur'anic Studies* 12 (2010): 6–40; idem, "Ibn Taymiyya and the Rise of Radical Hermeneutics: An

countless Muslim exegetes who participated in this evolution did so overwhelmingly in conversation and conflict only with other Muslims.

It is true, of course, that the common religious and philosophical heritage of the whole Mediterranean, as well as the movement and ideas and texts among all the religious cultures, played a role in such largely internal discussions. In the Hesychast controversy that dominated Byzantine intellectual life in the mid-fourteenth century, a series of learned scholars debated the “nature of divine-human communion.”<sup>75</sup> Gregory Palamas (1296–1359) and his followers asserted that while God is unknowable in his essence, He is knowable in the actions of his energies, and especially through the Hesychast devotion that flourished in Greek monasteries. Barlaam of Calabria (1290–1348) and his partisans, on the other hand, while scarcely agnostics, argued that logical, certain knowledge of God was impossible. It is true that this dispute began in direct reference to Latin-Christian thought (when Palamas took issue with some of Barlaam’s claims in a treatise *Against the Latins*); and it is true that late in the dispute, the anti-Palamite brothers Demetrios (1324–1397) and Prochorus (c. 1330–1369) Kydones eventually invoked Thomas Aquinas’ *Summa theologiae* (newly translated into Greek) in defending their position; and true too, of course, that the entire conflict grew out of the scriptural-Neoplatonic heritage common to the whole Mediterranean basin. Yet it would be a serious misunderstanding not to see this controversy as unique to Greek-Christianity in a fundamental way, “essentially a conflict,” as Norman Russell has described it, “between two philosophical and theological traditions within Orthodoxy which had hitherto co-existed peacefully.”<sup>76</sup>

“*[M]estizaje*,” wrote Sabine MacCormack in 2007, “does not account for everything.” Writing about intellectual life in colonial South America, she observed that “in recent years, we have been encouraged to think of these American societies in terms of *mestizaje*, of a mingling of races, languages, art forms,” which, of course, they partly were. But different groups, she goes on to say, “had and have their own ways of creating and

Analysis of an Introduction to the Foundations of Qur’anic Exegesis” in *Ibn Taymiyya and His Times*, 123–62; idem, “Marginalia and Peripheries: A Tunisian Historian and the History of Qur’anic Exegesis,” *Numen* 58, no. 2 (2011): 84–313; idem, “The Gloss as Intellectual History: The *Hāshiyahs* on *al-Kashshāf*,” *Oriens* 41 (2013): 217–59.

<sup>75</sup>Norman Russell, “The Hesychast Controversy,” in *The Cambridge Intellectual History of Byzantium*, 494–523, at 494.

<sup>76</sup>Russell, “The Hesychast Controversy,” 507.

interpreting meanings, ways that remain distinct.”<sup>77</sup> As we have seen earlier in this essay, there is no end of *mestizaje* in the intellectual world of the medieval Mediterranean, but that *mestizaje* does not account for everything in that complex world either. In the midst of the dizzying *mestizajes* of Greek science and Semitic theism, of Arab-Islamic fable and Latin-Christian piety, of Arabo-Persian astronomy and Byzantine medicine, of Neo-Platonic philosophy and Jewish, Christian, and Muslim mysticism—in the midst of all that, the manufacture of difference steams along endlessly.

### CONCLUSION

I have been arguing here for four seas of intellectual endeavor, each of them broad and deep and amply stocked with pressing interpretive questions and relevant evidence. But is any of them individually or are all of them collectively actually coterminous with the Mediterranean? The *pan-docheion/fundug* with which we began flourished nearly everywhere around the Mediterranean, but nowhere else. Its territorial limits were the limits of the near hinterland of the Middle Sea itself. By that standard no intellectual sea that I have discussed here qualifies. The movement of texts and ideas that has preoccupied us ran not only through Constantinople, Qayrawān, and Rome, but also through Bukhara and Iceland (and Timbuktu and Moscow and, eventually, Mexico City and Manila); deeply shared ideas about God and the cosmos traveled just as far; the work of boundary maintenance as between Jew, Christian, and Muslim (and Catholic and Orthodox, and Shi’ite and Sunni, and Rabbanite and Karaite) marched ahead at similar removes from the Mediterranean’s beaches.

There is a good case, then, for asserting that what I have been describing here would be better classified as the intellectual history of western Eurasia and North Africa (though we would still have a series of similarly inponderable questions about exactly where the limits are between that cultural/intellectual/religious zone and what is farther to the east and south). Yet just as we have little trouble discussing Mediterranean commerce in the Middle Ages, even though the links of that commerce often extended ultimately to India and China, so, it seems to me, there is something quite legitimate about identifying a Mediterranean intellectual

<sup>77</sup> Sabine MacCormack, *On the Wings of Time: Rome, the Incas, Spain, and Peru* (Princeton: Princeton University Press, 2007), 23.

history even though its links extended just as far. For one thing, many features of that intellectual culture persistently linked it back to the Mediterranean lands. Bede wrote exclusively in Latin on the rainy banks of the River Tyne, Ibn Sīnā in Arabic in what is now Central Asia, while Robert Grosseteste learned his Greek in Lincoln,<sup>78</sup> all this intellectual work, like the vast majority of medieval intellectual production in western Eurasia, bound linguistically to the Mediterranean home of these languages. Furthermore, the religious and cultural points of reference for everyone from Ireland to Persia to Mauritania to Polonia were overwhelmingly Mediterranean: Abraham, Jesus, Muhammad; Plato, Aristotle, Plotinus; Mecca, Rome, al-Aqsa, Hagia Sofia. Scholarly work, moreover, repeatedly brought far-flung intellectuals to the Mediterranean lands: Iranian scholars studying with the great authorities on Qur'an and hadith in Baghdad, Basra, Damascus, or Cairo; Latin scientists such as Robert of Ketton (from central England) making their way to Spain to learn Arabic and study algebra; William of Moerbeke, a Flemish Dominican, venturing through Nicea and Thebes as he translated Aristotle's *De partibus animalium* into Latin.

It is true, of course, that cities far from the Mediterranean's waters—Paris, Oxford, Isfahan, even Timbuktu—eventually became important, even dominant centers of the intellectual world that radiated out from that sea. Yet, the features of medieval intellectual life that I have stressed here persisted in their most intense and enduring form in territories hard by that inland sea. Technology, science, and philosophy traveled far through a pluralistic world that did, in fact, extend in many cases far beyond the Mediterranean, but their journeys normally took them across that sea on the way. When Chaucer wrote a treatise on the astrolabe for his son, his main source was the Arabic treatise of Pseudo-Messahalla which had been translated into Latin in Iberia (and not only did that Latin version wind up in Chaucer's hands on an island in the North Atlantic, but it also came into the possession at almost the same time of a Byzantine translator who put it into Greek).<sup>79</sup> Chaucer's source on the Middle Ages' most amazing technology got to him by way of Iberia, moreover, because the frontiers

<sup>78</sup> Anna Carlotta Dionisotti, "On the Greek Studies of Robert Grosseteste," in *The Uses of Greek and Latin: Historical Essays*, ed. Anna Carlotta Dionisotti, Anthony Grafton, and Jill Kraye (London: The Warburg Institute, 1988), 19–39.

<sup>79</sup> Anne Tihon, Régine Leurquin, Claudy Scheuren, ed. and trans., *Une version Byzantine du traité sur l'astrolabe du Pseudo-Messahalla* (Louvain-la-Neuve, Belgium: Bruylant-Academia, 2001), 11 n6.

so crucial to the sorting, translating, and adapting of other people's books and ideas were overwhelmingly hard by the Mediterranean as well. Yes, Robert Grosseteste both learned Greek exceptionally well and translated fundamental works from it in central England, but he had to use the great wealth of his episcopal see to recruit Mediterranean scholars and buy Mediterranean books to make this possible. While ideas about God and the cosmos were strikingly similar across a much vaster territory than the Mediterranean region, the intensity of inter-religious contacts in lands where Jews, Christians, and Muslims lived side by side for centuries meant that the strategic deployment of this common legacy, as in the non-sectarian theism that we saw advocated by Buṭrus al-Sadamantī and Petrus Alfonsi, flourished primarily around that sea as well. And it is the same intensity of daily contact across religious boundaries that ensured that the Mediterranean was the site of the most sustained efforts at difference-making, whether Ibn Taymiyyah's *Sound Answer* or Ramon Martí's *Dagger of Faith* or Judah ha-Levi's *Book of the Khazars*.<sup>80</sup>

Frameworks of analysis, of course, are only useful until they are not, and I make no claim that the approach I have advocated here offers the only beneficial path toward understanding the intellectual life of the cultures across this vast region. That it is, and will be, singularly productive for the foreseeable scholarly future, though, cannot, I think, be doubted. There is work here for countless dissertations and fine books ready to speak, if only indirectly, to some of the most pressing concerns of the pluralistic world in which we all live. That we should call this approach "medieval Mediterranean intellectual history" certainly entails all the same problems that many other scholarly generalizations do—it is a modern coinage, it is messy at the edges, and in some contexts it obscures more than it reveals. But of course our scholarly enterprise would be sadly impoverished if we banished such modern coinages as "Latin-Christian," "Byzantine," "Islamic/Islamicate," as meaningful categories of analysis: despite all that is in them of anachronism, messiness, and potential obscurantism, they really do get at meaningful realities that we would be foolish to dismiss just because the terms that we have for them cannot, like pretty much any such terminology, manage to capture perfectly the immensely

<sup>80</sup>For recent bibliography on the latter, see Adam Shear, *The Kuzari and the Shaping of Jewish Identity* (Cambridge: Cambridge University Press, 2008).

complex historical reality we are attempting to understand. To disavow “Mediterranean” as a proper frame for investigating the thought world of the Middle Ages would be similarly impoverishing. Yes, the centrifugal energy generated by this dynamic region, with its quickening sea at the center, sent aspects of the culture built around it far to the north, east, and south; yes, the farther one moves from the coasts of that Middle Sea, the less helpful this category will be; yes, there are aspects of the intellectual history of, say, Christian theology on Mt. Athos or natural philosophy in Cairo, that are not helpfully analyzed as Mediterranean, despite their proximity to it. Yet the reality of this region of three overlapping religions, five interacting classical languages, a welter of interconnected, mutually embracing, yet mutually hostile, intellectual micro-climates, all linked together by land and by sea, is too distinctive and compelling not to have its own name and own scholarly agenda. What, besides “Mediterranean,” would we possibly call it?

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# *Coronidis Loco: On the Meaning of Elephants, from Baghdad to Aachen*

*Paul M. Cobb*

## INTRODUCTION

The recent turn to the study of the “Global Middle Ages” has drawn the attention of a new generation of medievalists to the networks of exchange and contact that bound together societies across Eurasia and Africa.<sup>1</sup> Many

<sup>1</sup>An early version of this paper was first presented as a Keynote Lecture at the Vagantes conference held in 2005 at the University of Notre Dame. I am grateful to the editors for inviting me to offer this revised, re-thought, and (I hope) improved version as tribute to the memory of Remie Constable, my much-missed friend and colleague. I would also like to thank Prof. Walid Saleh of the University of Toronto for some pointers on *tafsīr* and to acknowledge the hard work of the librarians of the Muséum National d’Histoire Naturelle in Paris, who located a rare print copy of the Nünning-Cohausen correspondence for me while I conducted research in their magnificent Bibliothèque de Recherche. And final thanks go to my colleague Prof. Cynthia Damon of Penn’s Department of Classics, for producing the lovely translations of poems from that correspondence which are appended to this essay.

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of the networks are well-known even to medievalists working outside a “global” perspective; many more continue to shed light on our understanding of the human past. And thanks to the increasing availability of translations, digital editions and digitized manuscripts, formerly-siloed subdisciplines of medieval studies are now commonly and fruitfully intertwined. Even if critics of this global turn might quickly point out that such networks are already well-known, with a long and established history in the traditional study of the Middle Ages, it is now possible to bring such established data to bear on new questions and to reconsider what new interpretations they might offer up. In short, scholars of the medieval world have more to talk about than ever before.<sup>2</sup>

The present essay is offered in the spirit of such conversations, limiting itself to the comparatively small arena of relations between the Islamic world and the Latin West. It focuses upon a famous but (for all that) not well-understood moment in the history of relations between the Carolingians and the ‘Abbasid dynasty of Baghdad: namely the caliph Hārūn al-Rashīd’s gift of an elephant to that most serene Augustus crowned by God, Charlemagne. Although the episode has absolutely no confirmation in the Arabic sources, the Latin sources leave little doubt on the matter, and so, before continuing, it will serve us well if we establish clearly what it is these sources say.<sup>3</sup>

We have information primarily from two sources: the *Annals of the Kingdom of the Franks*, and Charlemagne’s biographer, Einhard.<sup>4</sup> The

<sup>2</sup>See, for example, Catherine Holmes and Naomi Standen, *The Global Middle Ages*, a supplement to *Past & Present* 238 (2018), suppl. 13, in which networks loom especially large as an organizing principal to the volume.

<sup>3</sup>However, Samuel Ottewill-Soulsby, “‘Abbasid-Carolingian Diplomacy in an Early Arabic Apocalypse,” *Millennium* 16 (2019): 213–31 has identified at least an oblique reference to Hārūn’s dealings with Charlemagne in the Arabic Tiburtine Sibyl.

<sup>4</sup>On the crucial account of Einhard’s Irish contemporary Dicuil, whose brief testimony would attract the attention of Alexander Vasiliev in the early twentieth century, see below. To these I should also add three minor sources: (1) The account of Notker, who is usually considered an important source on these embassies. While he mentions the arrival of the elephant, he mixes with it the gifts of balsam, nard, unguent, scent, and spices that came with an embassy of 806. He also adds monkeys. Notker, *De Carolo Magno*, Book II, ch. 8 translated in Einhard and Notker, *Two Lives of Charlemagne*, trans. Lewis Thorpe (Harmondsworth: Penguin, 1969), 145–46; (2) The Lorsch annals, which mention, as an afterthought, *sub anno* 802, “[a]nd an elephant arrived in Francia this year,” *Annales Laureshamenses*, ed. G. H. Pertz in *Monumenta Germaniae Historica: Scriptores I. Annales et chronica aevi Carolini* (Hanover: Hahn, 1826), I:39, s.a. 802, and; (3) The anonymous “Saxon Poet,”

*Annals* simply say that in 797, Charlemagne sent an embassy to Hārūn, including three men named Lantfrid, Sigimund, and Isaac the Jew. In May of 801, on his return from his coronation in Rome, he met with legates sent from Hārūn, and from Ibrāhīm ibn al-Aghlab, Hārūn's governor in North Africa, who had just arrived in Pisa. The legates informed Charlemagne that Lantfrid and Sigimund had died, but that Isaac the Jew "was on his way back with great gifts." Charlemagne commanded his *notarius* Ercanbald to continue to Liguria to prepare a fleet "on which the elephant and whatever else he brought along might be transported."<sup>5</sup>

In October of the same year, while Charlemagne returned to Aachen, Isaac crossed from Africa with gifts including the elephant and landed at Portovenere, near Genoa. After wintering in Italy, Isaac and the elephant, who we are told was named Abulabaz, crossed the Alps and arrived in Aachen on 20 July, 802.<sup>6</sup> That the elephant crossed from Tunisia with Aghlabid assistance using what was an ancient and well-traveled route for the transport of African elephants to the Roman circus suggests that Abulabaz was likely an African elephant (either the large bush elephant *Loxodonta africana* or, more probably, the smaller and more docile forest elephant, *L. cyclotis*) rather than an Asian elephant (*Elephas maximus*) come all the way from Baghdad. That said, a few Asian elephants probably made it to ancient Rome on a few occasions, and so the possibility cannot be entirely discounted.<sup>7</sup>

who mentions the gift of an elephant from Hārūn, along with some other luxuries. Poeta Saxo, ed. P. Jaffé in *Monumenta Carolina* (Berlin: Weidmann, 1867), 542 ff.

<sup>5</sup> *Annales Regni Francorum*, ed. F. Kurze in *Monumenta Germaniae Historica: Scriptores rerum Germanicum in usum scholarum* (Hanover: Hahn, 1895), 116 s.a. 801: "Qui Isaac Iudeum, quem imperator ante quadriennium ad regem Persarum cum Lantfrido et Sigimundo miserat, reversum cum magnis muneribus nuntiauerunt; nam Lantfridus ac Sigimundus ambo defuncti erant. Tum ille misit Ercanbaldum notarium in Liguriam ad classem parandam, qua elefans et ea, quae cum eo deferebantur, subveherentur."

<sup>6</sup> *Annales Regni Francorum*, 116–17, s.a. 801 and 802: "Ipsius anni mense Iulio, XIII. Kal. Aug., venit Isaac cum elefanto et ceteris muneribus, quae a rege Persarum missa sunt, et Aquisgrani omnia imperatori detulit; nomen elefanti erat Abulabaz."

<sup>7</sup> H. H. Scullard, *The Elephant in the Greek and Roman World* (Ithaca: Cornell University Press, 1974), 253–54 discusses the elephant-trade with Africa for the games in Rome, and notes that sourcing elephants from India "does not seem likely to have been very extensive." The idiosyncratic work of Achim Thomas Hack, *Abul Abaz: Zur Biographie eines Elefanten* (Badenweiler: Wissenschaftlicher Verlag Dr. Michael P. Bachmann, 2011) is not very persuasive about an Indian origin either.

Regardless of its origins, the elephant presumably remained in Aachen until the summer of 810, when, at Lippeham on the Rhine, not far from the modern German town of Wesel, while Charlemagne prepared for a campaign against the Danes, Abulabaz suddenly died.<sup>8</sup> Einhard, for his part, adds the important detail that Charlemagne had *asked* Hārūn for the elephant specifically, though he also adds the unlikely conceit that Abulabaz was “the only one [Hārūn] then possessed.”<sup>9</sup>

It is a short but endearing story. The image of a gentle behemoth from the East being slowly pushed and prodded from (perhaps) Baghdad to (definitely) Aachen amidst what one imagines to have been the whispered paternosters of Frankish yokels, only to die a cold and lonesome death on the Carolingian frontier, is a favorite one among undergraduates. It lends itself to romanticization and, unfortunately, embellishment. For centuries, it seems to have charmed generations of specialists, too, given the amount of serious scholarship that has surrounded this exchange.

The history of that scholarship is a long and confused one. In brief, it has tended to view the Abulabaz episode in two ways. First, it is viewed on the *diplomatic level*, seeing in the elephant proof of Baghdad’s recognition of Charlemagne’s political claims, such as his claim to be protector of the Christian holy sites in Palestine, or in return for his activities against their shared rivals, the Umayyads of the Iberian Peninsula.<sup>10</sup> Second, and more recently, it is viewed on the *economic level*: if such regular contacts between

<sup>8</sup> *Annales Regni Francorum*, 131, s.a. 810: “ubi dum ali quot dies moraretur, elefans ille, quem ei Aaron rex Sarracenorum miserat, subita morte periit.” Probably Abulabaz died from the same “cattle plague” that so decimated livestock in the area in the same year, as mentioned in the *Annales*. It should also be noted that the accepted location of Lippeham as near Wesel, while eminently plausible, is only inferred. For other references, see the *Regnum Francorum Online*, s.v. “Lippeham”: <http://francia.ahlfeldt.se/page/places/5466>. Richard Hodges, for example, confidently places it in the Lüneberg Heath, far away in Lower Saxony (*Towns and Trade in the Age of Charlemagne* [London: Duckworth, 2000], 37).

<sup>9</sup> Einhard, *Einhardi Vita Karoli Magni*, 6th ed., ed. G. Waitz, in *Monumenta Germaniae Historica: Scriptores rerum Germanicum in usum scholarum* (Hanover: Hahn, 1911), #16: “quem tunc solum habebat” Translated in English as *The Life of Charlemagne* in Paul E. Dutton, ed. and trans., *Charlemagne’s Courtier: The Complete Einhard* (Peterborough: Broadview Press, 1998), 26.

<sup>10</sup> See Ottewill-Soulsby, “‘Abbasid-Carolingian Diplomacy,’” for context. On the scholarship on Charlemagne’s interests in Palestine, see below. On his activities in Spain, see Phillippe Sénac, *Les Carolingiens et al-Andalus (VIIIe-IXe siècles)* (Paris: Maisonneuve et Larose, 2002), and the corrective of Samuel Ottewill-Soulsby, “‘Those same cursed Saracens’: Charlemagne’s campaigns in the Iberian Peninsula as religious warfare,” *Journal of Medieval History* 42 (2016): 405–28.

East and West existed, then these two realms might not be so hermetically sealed as had been most famously proposed by Henri Pirenne. But, until recently, very few scholars have considered Abulabaz as evidence of a *cultural* exchange: that the elephant *meant* something to Charlemagne, and that it will have meant something, too, to Hārūn. It is the cultural meanings that Abulabaz may have conveyed in Baghdad that I wish to stress in the present essay. But first, it is only fair to consider what scholars have been making of this elephant and, almost literally, to exhume what really remains of Abulabaz when all has been said and done.

### EXHUMING ABULABAZ

Even before the erection of academic disciplinary boundaries in the late nineteenth century, a number of European savants had tangled with Charlemagne's famous elephant. The story of modern scholarly attention to Abulabaz begins, it seems, in the Netherlands, in the northern university town of Gröningen.<sup>11</sup> It was in that remote outpost of civilization in 1739 that the Huguenot *eruditus* Jean Barbeyrac (1674–1744), a key figure in the history of natural law in Europe, in a massive and methodical study of ancient and medieval treaty-documents, first introduced the question of Abulabaz. Barbeyrac, as a scholar of natural law and diplomacy, saw the elephant-gift as evidence that Hārūn conformed perfectly with Charlemagne's own personality and as a token of the friendship that he believed these two men shared.<sup>12</sup> Barbeyrac also situated Charlemagne's request for Abulabaz alongside his overtures to Hārūn concerning his claims over the Holy Land, which would itself become a subject of medievalist controversy almost as long-lived as that of the elephant-gift.

<sup>11</sup> It is likely that there was earlier historical speculation about Abulabaz before Barbeyrac, but this appears to me to be the first attempt to interpret, as opposed to simply report, this gift. The *Royal Frankish Annals* were commonly printed, in part or in full, in the early modern period as accompaniments to Einhard's *Vita Karoli Magni* (first printed 1521), and so would have been relatively easily available to the academically-inclined. On the publication history of the *Annals*, and the prevalence of the complex manuscript tradition in constructing knowledge of the Carolingian past, see Rosamond McKitterick, *History and Memory in the Carolingian World* (Cambridge: Cambridge University Press, 2004).

<sup>12</sup> Jean Barbeyrac, *Histoire des anciens traitez, ou recueil historique et chronologique des traitez répandus dans les Auteurs Grecs & Latins, & autres Monumens de l'Antiquité depuis le tems les plus reculez jusques à l'empereur Charlemagne* (Amsterdam: Chez les Janssons à Waesberge, Wetstein & Smith, 1739), 2: 341–42.

In 1746, not long after Barbeyrac included his account of Charlemagne and Hārūn in his catalog of treaties, a Westphalian amateur naturalist and antiquarian named Jodocus Hermann Nünning brought, as it were, a material turn to the question of Abulabaz. In that year, Nünning published a learned correspondence with his friend Johannes Heinrich Cohausen, reporting that, in a field near the confluence of the river Lippe and the Rhine, not far from where Abulabaz reportedly met his end, he had discovered a large, elephant-size femur that could only belong to Charlemagne's elephant.<sup>13</sup> Nünning compares the bone to another giant ulna found in Brabant, and mentions similar finds in Ireland and Berlin. Nünning is careful to note other scientific discussions of elephant anatomy, including recent viewings of such beasts, and also to record famous historical arrivals of elephants onto European soil, such as those of Hannibal's armies, and Louis IX's gift to Henry III in 1250, made famous by Matthew Paris. He then settles on Abulabaz, whom he considers the likeliest source of these bones, adduces most of the relevant Latin texts about him, and argues for the identification of Lippeham with Wesel. He sees Abulabaz as having been kept not for battle, but rather to provide triumphs for Charlemagne, a point to which we shall return.<sup>14</sup> He ends, as he does in all his scientific correspondence, with a rather adorable Latin poem written in honor of Abulabaz.<sup>15</sup>

Nünning's find was a noted curiosity, and when another bone was retrieved in 1750 from the banks of the Lippe at Gartrop, just upstream from Wesel, it too was identified as a remnant of Charlemagne's elephant, and reported as front-page news in a regional weekly.<sup>16</sup> But, that Nünning and others should choose to interpret these bones as parts of a Carolingian elephant rather than a more likely late Pliocene woolly mammoth is understandable: Nünning had an abiding scholarly interest in his region's medieval past, and the very notion of prehistoric pachyderms had yet to be discussed in scientific circles. Perhaps less forgivable is his immediate

<sup>13</sup>Jodocus Hermann Nünning and Johann Heinrich Cohausen, "Epistolae IV: De osse femoris Elephantini," in *Comercii literarii dissertationes epistolicae...* (Frankfurt: Andrea et Hort, 1746), 45–68.

<sup>14</sup>Nünning and Cohausen, 52–53.

<sup>15</sup>See translation by Cynthia Damon in the Appendix.

<sup>16</sup>J. G. Leidenfrost, "Nachricht von einigen Ueberbleibsein des Elephanten Abulabaz," *Wochentliche duisburgische auf das Interesse der Commerciens...*, No. 27 (7 July 1750), 1–3.



reaction to his discovery, which was to dig up the bones and add them to his private museum, presumably a *Wunderkammer* or curiosity cabinet.<sup>17</sup>

But while the story of Abulabaz was known in more-or-less respectable antiquarian circles such as Nünning's in the eighteenth century, it was not really until the nineteenth that the episode received any serious scrutiny. It was the French diplomatic historian, traveler, and student of Ottoman Europe, François Charles Hugues Laurent Pouqueville who, in his 1833 treatise on the historical roots of French connections to the Levant, started the debate on Franco-ʿAbbasid relations, and on a high note, by simply denying that they ever existed.<sup>18</sup> Pouqueville dismissed the stories about early medieval embassies from the East as “fables” intended to make the Carolingians seem grander than they were. Nevertheless, he could not (or would not) dismiss other related notions, such as Charlemagne's alleged control over Palestine, or his involvement with Umayyad Spain, and so a few decades later he was criticized by his countryman, the French Orientalist Joseph Toussaint Reinaud (1795–1867) for his inconsistency. Reinaud's entire work showed that there was plenty of evidence for Franco-Muslim relations before and after Charlemagne, so in the end, why not for Charlemagne, too? However, as a distinguished Arabist, Reinaud was also forced to concede the important point that the Arabic sources are, in fact, entirely silent on the matter of Abulabaz.<sup>19</sup>

This early debate over the veracity of the accounts about Charlemagne's dealings with Baghdad provides the context in which the first truly *academic* debate—between professional scholars based in universities—on relations between Charlemagne and Hārūn got started. Not surprisingly, this debate was led by a medievalist (and Byzantinist) on the one hand and

<sup>17</sup> Implied, at least, in Nünning and Cohausen, 48. It is perhaps worth noting that Cohausen, by contrast, was not entirely persuaded by his comrade's identification (58–68). On early scientific views of fossil pachyderms, see Claudine Cohen, *The Fate of the Mammoth: Fossils, Myth, and History* (Chicago: University of Chicago Press, 2002). On Nünning's collections, see Gerd Dethlefs, “Jodocus Hermann Nünning: Archäologe—Numismatiker—Büchersammler,” in Peter Nerghaus, ed., *Numismatische Literatur, 1500–1864. Die Entwicklung der Methoden einer Wissenschaft* (Wiesbaden: Harrassowitz, 1995), 137–54.

<sup>18</sup> François-Charles-Hugues-Laurent Pouqueville, *Mémoire historique et diplomatique sur le commerce et les établissements français au Levant, depuis l'an 500 de J.C. jusqu'à la fin du XVIIe siècle* (Paris: Académie Royale des Inscriptions et Belles-Lettres, 1833), 529–30. Pouqueville cites Barbeyrac as his source for this episode.

<sup>19</sup> Joseph Toussaint Reinaud, *Invasions des Sarrazins en France, et de France en Savoie, en Piémont et dans la Suisse, pendant les 8e, 9e et 10e siècles de notre ère, d'après les auteurs chrétiens et mahométans* (Paris: Dandey-Dupré, 1836), 115–17.

an Islamicist on the other. Unfortunately, they both wrote in Russian. It was the great Russian Orientalist Vasilii Vladimirovich [Wilhelm] Barthold (1869–1930) who, in 1912, was the first to open serious scholarly debate on the subject of Carolingian-‘Abbasid relations. It was his countryman, the equally great Byzantinist Alexander Alexandrovich Vasiliev (1867–1953) who questioned his conclusions, two years later in 1914. Explicitly invoking his predecessor Pouqueville, Barthold debated Franco-‘Abbasid diplomatic relations simply by denying them. He made a great show of the fact that ever since Reinaud, the question had been handled only by non-Orientalists, who possessed naïve and uninformed ideas about the nature of the caliphate, ideas that he, the great Orientalist, would refute. His attack aimed to show that any diplomatic contact that existed between Charlemagne and the Islamic world was quite small and local. Barthold also noted the patchiness of the Latin sources, and stressed the absence of Arabic ones. But, like other critics, he concedes the reality of the arrival of Abulabaz as a gift, and he even thought he had found external evidence supporting the story (though this turns out to be a Jewish legend with no real connection to this episode).<sup>20</sup> So even Barthold, the arch-skeptic, despite his grave doubts about the context of the exchange, has at least to admit the reality of Charlemagne’s elephant.<sup>21</sup>

Vasiliev replied to these assertions with a dense and impressive tissue of evidence showing the complexity of Franco-‘Abbasid relations, commercial, religious, and diplomatic, before, during, and after Charlemagne. Moreover, to alleviate any lingering doubts Barthold may have sowed on the matter, Vasiliev adduces two important pieces of external evidence that confirm Abulabaz’s presence in Charlemagne’s court. The first is a passage

<sup>20</sup>This is clear from Barthold’s source for this legend: David Cassel, *Lehrbuch der jüdischen Geschichte und Literatur* (Leipzig: F. A. Brockhaus, 1879), 270, where a Jew named Machir is said to have been sent by Hārūn to Charlemagne to found the academy at Narbonne. Cassel himself notes that only later eleventh- and twelfth-century sources mention this founder.

<sup>21</sup>V. V. Barthold, “Karl Veliki i Kharoun-ar-Raschid,” *Khristianskij Vostok* 1 (1912): 69–94 (English summary in F. W. Buckler, *Harunu’l-Rashid and Charles the Great*. Medieval Academy of America Monographs, no. 2 (Cambridge, MA: The Medieval Academy of America, 1931), 43–47). However, Barthold would prefer to see the gift not as a token sent directly from Hārūn in Baghdad but rather as a commercial transaction originating from the enigmatic Isaac the Jew, who may have received permission from Hārūn (or his Aghlabid governors in north Africa), but nothing more. He also raises the possibility that the whole episode has been mis-dated, and that Abulabaz might have been originally intended for the embassy later sent to the Byzantine emperor Nikephoros in 806.

from the Irish polymath Dicuil who, writing ca. 825 in the court of Louis the Pious, criticized an ancient author's notion that elephants could not recline, as follows (emphasis mine):

But the same Iulius in speaking of Germany and its islands makes one mistake about elephants when he says that the elephant never lies down, for he certainly does lie down like an ox, *as the people at large of the Frankish kingdom saw the elephant at the time of Emperor Charles*. But perhaps the reason for this false statement being written about the elephant was that his knees and houghs cannot be clearly seen except when he lies down.<sup>22</sup>

Dicuil's independent statement is so matter-of-fact, reliant upon what was considered common knowledge of observations in Charlemagne's court, that it provides the closest thing to solid proof that the elephant-gift did indeed take place.

The other piece of external evidence is even stronger, and appears to undercut Barthold's mantra that the Arabic sources are entirely silent on the matter, namely a first-person account written by an Arab notable from the East who participated in an embassy in the year 802 from Baghdad to Rome, where he presented Charlemagne with, among other things, a large white elephant that had been owned by the 'Abbasid caliph al-Mahdī, Hārūn's father, who had received it himself as a gift from an Indian king.<sup>23</sup>

Chronological details aside, this last piece of evidence sounds almost too good to be true, and unhappily, it is. This Arabic account that Vasiliev flourished is not, in fact, a medieval historical account, but an excerpt from a modern Egyptian historical novel. Now, Vasiliev was not intentionally misdirecting his readers, though in this instance he may have been a bit foolish: he knew he was citing a modern text, namely Jamīl Nakhla al-Mudawwar's experimental attempt to make history entertaining, his novel *Ḥaḍārat al-islām fī dār al-salām*, first published in Cairo in 1888.<sup>24</sup> In this book, the Golden Age of Islam is described in loving detail through the device of a chain of epistles from its adventurous Arab protagonist. But Vasiliev hoped that, since it was written by an Arab, with some references

<sup>22</sup> Dicuil, *Liber de mensura orbis terrae*, ed. J. J. Tierney (Dublin: Dublin Institute for Advanced Study, 1967), 82/83 (VII.35).

<sup>23</sup> Aleksander A. Vasiliev, "Karl Veliki i Kharoun-ar-Raschid," *Vizantijskij Vremennik* 20 (1914): 64–116.

<sup>24</sup> Jamīl Nakhla al-Mudawwar, *Ḥaḍārat al-islām fī dār al-salām* (Cairo: Wizārat al-Ma'ārif al-'Amūmiya, 1888), 265–328.

to medieval sources, perhaps it reflected some truths from medieval Islamic history. In fact, al-Mudawwar does cite a medieval source as the inspiration for the elephant, but it is a passing reference in the *Kitāb al-Aghānī* (or *Book of Songs*), a renowned medieval collection of Arabic poetry by Abū'l-Faraj al-Iṣfahānī (d. 967). The *Aghānī* says simply that al-Mahdī had received an elephant as a gift.<sup>25</sup> Whether it was white, large, from India, or destined to meet Charlemagne is never specified. The entire account is pure fiction, and al-Mudawwar's most likely inspiration was precisely the European drivel being written about Charlemagne or about Hārūn in the nineteenth century that Barthold was so tired of. Al-Mudawwar's novelistic account is thus not important as an historical source, but it is important for its embarrassing staying power in this debate, as we shall see.

In the summer of the same, fateful year, 1914, Barthold stubbornly replied to Vasiliev, not so much with any new evidence, but with the general point that he could not, on the basis of any sources, see any reason why Charlemagne or Hārūn would profit from such relations.<sup>26</sup> The burden was on future scholars, then, to prove what both sides might have gained from such a relationship.

The first response came from France in 1919, by which time Russians were occupied with things deemed more important than elephants. But of course Frenchmen had their pre-occupations too: In January of 1919, on the razor's edge of a new colonial era, the Chamber of Commerce of Marseilles held a series of public colloquia on the subject of France's relations with Syria. In the sessions devoted to archaeology, history, geography, and ethnography, the Byzantinist and medievalist Louis Bréhier (1868–1951) presented his paper on Charlemagne's interests in Palestine with the nefarious-sounding title of "Les origines des rapports entre la France et la Syrie: Le protectorat de Charlemagne."<sup>27</sup> In a later paper, Bréhier would come to publicly regret his colonial-minded choice of words, but he came down squarely on the side of Vasiliev, arguing that Charlemagne's desire to control the Holy Places in Palestine was behind

<sup>25</sup> Abū'l-Faraj 'Alī ibn al-Ḥusayn al-Iṣfahānī, *Kitāb al-aghānī* (Beirut: Dār Iḥyā' al-Turāth al-'Arabī, 1994), X:250, s.v. "Abū Dulāma al-Asadī."

<sup>26</sup> W. W. Barthold, "The Question of Franco-Muslim Relations," *Khristianskij Vostok* 3 (1914): 263–96 [in Russian].

<sup>27</sup> Louis Bréhier, "Les origines des rapports entre la France et la Syrie. Le protectorat de Charlemagne," in *Chambre de commerce de Marseille. Congrès français de la Syrie, Séances et travaux* 2 (1919): 15–38.

the embassies to and from Baghdad, and he even used Abulabaz as evidence that Hārūn and Charlemagne had formally completed an alliance.<sup>28</sup> Bréhier's thesis amplified a debate about Palestine that would continue to exercise many eminent medievalists over the course of the twentieth century, but which does not really sit at the center of the present essay.<sup>29</sup> Suffice it to say that scholars were now treating Franco-'Abbasid diplomatic relations very creatively indeed, but so far without much reference to the Islamic side of the equation.

That contribution came in 1931 in a notable little monograph by the transplanted British scholar F. W. Buckler, who was professor of Church History at Oberlin College.<sup>30</sup> His particular interest seems to have been Islamic political theory, and it is through that lens that Buckler interprets Hārūn's gifts, including the elephant. He sees the arrival of Abulabaz as nothing less than Hārūn's recognition of Charlemagne as his governor of Spain and superintendent of Jerusalem.<sup>31</sup>

<sup>28</sup> Louis Bréhier, "La situation des Chrétiens de Palestine à la fin du VIII<sup>e</sup> siècle et l'établissement du protectorat de Charlemagne" *Le Moyen Age* 21 (1919): 67–75; idem, "Charlemagne et la Palestine," *Revue historique* 157 (1928): 277–91.

<sup>29</sup> The scholarship on this question is comparatively dense. In addition to the articles of Barthold, Vasiliev, and Bréhier discussed above, see, among others, F. F. Schmidt, "Karl der Grosse und Harun al-Rashid," *Der Islam* 3 (1912): 409–11; Arthur Kleinclausz, "La légende du protectorat de Charlemagne sur la Terre Sainte," *Syria* 7 (1926): 211–33; Einar Joranson, "The Alleged Frankish Protectorate in Palestine," *American Historical Review* 32 (1927): 241–61; B. Bittermann, "Hārūn al-Rashīd's Gift of an Organ to Charlemagne," *Speculum* 4 (1929): 215–17; Steven Runciman, "Charlemagne and Palestine," *English Historical Review* 50 (1935): 606–19; M. M. al-Khaddūrī, *al-Ṣilāt al-dīblūmāṣīya bayn al-Rashīd wa-Shārlamān* (Baghdad: n.p., 1939); Walther Björkman, "Karl und der Islam," in W. Braunfels, ed., *Karl der Grosse: Lebenswerk und Nachleben*. Vol. 1, *Persönlichkeit und Geschichte*, ed. H. Beumann (Düsseldorf: L. Schwann, 1965), 672–82; Michael Borgolte, *Der Gesandtenaustausch der Karolinger mit de Abbasiden und mit den Patriarchen von Jerusalem*. Münchener Beiträge für mediävistik und renaissance-forschung, v. 25 (Munich: Arbo-Gesellschaft, 1976); Aryeh Grabois, "Charlemagne, Rome, and Jerusalem," *Revue Belge de Philologie et Histoire* 59 (1981): 792–801; Klaus Bieberstein, "Der Gesandtenaustausch zwischen Karl dem Großen und Hārūn al-Raṣīd und seine Bedeutung für die Kirchen Jerusalems," *Zeitschrift des Deutschen Palästina-Vereins* 109 (1993): 152–73; Aleya Khattab, "Harun al-Raschid," in U. Müller and W. Wunderlich, eds., *Herrscher, Helden, Heilige* (St. Gallen: Universitätsverlag Konstanz, 1996), 65–86.

<sup>30</sup> Buckler, *Harunu'l-Rashid and Charles the Great*.

<sup>31</sup> Buckler gets carried away with himself, in fact: "There are few examples," he wrote, "more striking in the relations between East and West than this episode, whose dramatic irony culminates in the Pope's doing homage to the accredited deputy of the Successor of

Buckler's work is a tour-de-force of historical detail. It is invaluable for the wealth of information it yields on Franco-Islamic relations, and medieval European institutional history. As for its handling of Islamic matters, it is a notable pioneer in this debate, but I am certain Barthold would have had a field day with it. It is Buckler, for example, who uncritically recycles Vasiliev's allegedly historical evidence from al-Mudawwar's novel about the Arab embassy and the white elephant from India. But his greatest flaw is that he retrojects with impunity the fully developed systems of later Islamic diplomatic theory onto the much earlier, wilder and woollier world of Hārūn and Charlemagne.

Just as scholars were coming to understand the politics and diplomacy of the world they studied, so too were they grappling with its economy. The economic significance of Hārūn's relations with Charlemagne and of Islamic contacts with the West more generally is also outside the purview of this essay. As one might imagine, much of this work centers on the Pirenne Thesis, which has its own body of scholarship and, indeed, meta-scholarship in the form of anthologies, special periodical issues, and colloquium proceedings.<sup>32</sup> For our purposes, though, the most relevant work is that of the archaeologist Richard Hodges, both in his widely-cited work *Mohammed, Charlemagne & The Origins of Europe* (1983), co-authored with the Islamic archaeologist David Whitehouse, and in a few individually-authored articles.<sup>33</sup> In all these Hodges sees Abulabaz as evidence, or at least a symbol, of denser commercial ties with the East and the growing urbanization and resultant commodification of the economy of early medieval Europe. In all these works he also, unfortunately, cites Buckler as the final word on diplomatics, even reproducing again and again Vasiliev's fictions about white elephants, still in circulation after 100 years.

Since 1989, the debate about the nature of Carolingian relations with the 'Abbasid court has not really moved, nor has the episode of Abulabaz been viewed other than as a diplomatic footnote or an elephant-sized hole

the Prophet of God!" I can think of no giddier expression to ever grace the pages of the Monographs of the Mediaeval Academy of America.

<sup>32</sup>A convenient start is Alfred F. Havighurst, ed., *The Pirenne Thesis: Analysis, Criticism, and Revision*, rev. ed. (Lexington, MA: D.C. Heath, 1969).

<sup>33</sup>Richard Hodges and David Whitehouse, *Mohammed, Charlemagne & the Origins of Europe* (Ithaca, NY: Cornell University Press, 1983); Richard Hodges, "Charlemagne's Elephant and the beginnings of commoditisation in Europe," *Acta Archaeologica* 59 (1989): 155–68.

in the Pirenne Thesis.<sup>34</sup> Only a few historians and elephantophiles have deemed it worth mentioning. After more than 250 years of accumulated speculation and misplaced fictions, we are still more or less left with what the medieval chroniclers tell us, that in 797 Charlemagne asked Hārūn for an elephant, that he got it in 801, that it was named Abulabaz, and that, in 810, the elephant died. End of story. To this, I think modern scholarship has safely added the points that the gift probably had something to do with Baghdad recognizing Aachen, but whether that implies recognizing Charlemagne's authority over anything (like Palestine or Spain) is an open—and I think unanswerable—question. That the exchange of gifts also implies commercial contacts between southwest Asia and western Europe at a level and depth not accounted for by Pirenne seems also incontrovertible. It would seem that there is not much more to say.

However, in the past few decades, medievalists have been viewing their world through the lenses of anthropologically-inspired cultural history. Even Abulabaz has been viewed in that context, by Paul Dutton.<sup>35</sup> In a chapter on animals in Charlemagne's court, Dutton richly documents the role of animals and even elephants in early medieval elite culture and roots them in anxieties over the human condition, Carolingian notions of kingship, and royal mastery over the world. This seems to be a fruitful way to jumpstart the debate: gifts do *mean* something, after all. Dutton has offered compelling arguments for what animal-gifts meant to Charlemagne. But what did they mean to their senders? What did Abulabaz signify to Hārūn in Baghdad as he sent him off on his long trip to Aachen?

<sup>34</sup> Save perhaps for a few works that attempt to depict the event as one of interfaith convivencia, given the mediating presence of Isaac the Jew, for example, the exhibition catalog edited by Wolfgang Deessen et al., *Ex oriente: Isaak und der weisse Elefant. Bagdad-Jerusalem-Aachen: eine Reise durch drei Kulturen um 800 und heute* (Mainz: P. von Zabern, 2003). Jeff Sypeck, *Becoming Charlemagne: Europe, Baghdad, and the Empires of A.D. 800* is a heroic attempt to milk as much out of the episode as possible (New York: HarperCollins, 2006). By contrast, Rosamond McKitterick, *Charlemagne: The Formation of a European Identity* (Cambridge: Cambridge University Press, 2008), 286–87 provides some intriguing possibilities about the impact of the elephant on local visual culture; and Janet L. Nelson, *King and Emperor: A New Life of Charlemagne* (Berkeley: University of California Press, 2019), 457–58, like the present essay, places the elephant-gift in the context of Charlemagne's efforts toward achieving royal status.

<sup>35</sup> Paul Edward Dutton, *Charlemagne's Mustache and Other Cultural Clusters of a Dark Age* (New York: Palgrave Macmillan, 2004), 43–68. Dutton here makes reference to an early unpublished version of this paper, which I am happy to finally deliver.

## ELEPHANTS IN THE ‘ABBASID COURT

To answer that question, we need to consider the role of elephants in early Islamic times, something that, strangely, no previous scholar has attempted to do in connection with Abulabaz. We might profitably start with his name. That the Latin Abulabaz represents the Arabic Abū'l-‘Abbās is incontrovertible and certainly has been adopted as the most widely-accepted reading. Dutton, in an appendix, does suggest some alternatives, however. He notes correctly, after conferring with an Arabist colleague on the matter, that animals were often given what we might call “Abu-names,” poetic animal-nicknames formed as teknonyms (not “patronyms” though, as Dutton puts it) that describe the animal as the “father of x”, with x being some distinctive quality of the animal in question—thus Abū Ja‘ada, literally “father of woolly fur” for wolves or Abū Yaqẓān, “father of wakefulness” for roosters. Elephants, the medieval lexicographers tell us, were usually known as Abū'l-Ḥajjāj, “father of the brow-ridge.” These are not idiosyncratic nicknames, but well-known euphemisms that would have been understood by most literate Arabic users. But, so far as I can tell, there exists no known nickname following this pattern for elephants that would elide easily with Abulabaz or any of the scribal variants.<sup>36</sup>

It seems best then to read it in the simplest way possible: that the elephant that Charlemagne received was introduced to him with the name Abū'l-‘Abbās. That reading, “Father of ‘Abbās,” however, could have been taken as an allusion to Hārūn’s dynasty, the ‘Abbasids, who were known in Arabic as the Banū'l-‘Abbās or “Sons of ‘Abbās.” But this interpretation also has its problems. It implies, for one thing, a kind of ironic cheekiness on the part of the elephant’s namers—who were surely somehow officially linked to Baghdad and to the ‘Abbasids. For another, it does not follow patterns of honorific naming in Arabic. If an early medieval Arabic speaker wanted to convey that an elephant was a symbol of ‘Abbasid dynastic might, as this reading would have it, he might grant him the *nisba* “al-‘Abbāsī,” “the Abbasid” but not a teknonym like Abū'l-‘Abbās, which is a specific name given only to men with an eldest son named ‘Abbās; indeed the first of the ‘Abbasid caliphs bore this very teknonym. Thus,

<sup>36</sup> Dutton’s appendix on the name of the elephant covers pp. 189–90. His informant’s suggestion that the name Abulabaz represents some variant of the Arabic root ‘*abasa*, meaning “frowning, stern” (not “wrinkly” as Dutton interpolates) is otherwise unknown. Other variants in the Latin text include Ambulabat, Abulabat and Ambulabaz, which are all almost certainly attempts by Latin-writers to force an exotic name into Latinate molds.



either the elephant's name has been misinterpreted, or the intent was not to link it to the 'Abbasid dynasty, at least not directly. But there seems to be no good reason not to read "Abulabaz" as Abū'l-'Abbās; therefore, we must look elsewhere beyond a dynastic pun for its meaning. As it happens, there is a perfectly plausible contextual candidate, as shall be made clear below. To help us get there, though, one might ask: what did elephants, whatever their names, mean as gifts in 'Abbasid Baghdad?

Elephants were well-known to Muslims of Hārūn's day, and especially in the 'Abbasid court. Just as the Carolingian court operated with a complex combination of attitudes about animals that carried a whiff of the northern forests, of the Roman circus, and of the New Testament all in one heady mix, so too did the 'Abbasid culture of animals make use of networks of ancient Persian, Greek, Arabian, and Judaeo-Christian ideas and practices. For Hārūn's court it was to India, Byzantium, and above all to Sasanian Persia that they looked for inspiration.

### *Late Antique Elephants*

In Late Antiquity, elephants were used in warfare, in ceremony, and, importantly for us, as gifts. The Roman Empire practically abandoned their use in war, but in the third century, the newly-forged Sasanian Empire revived the ancient Achaemenid practice of using elephants in their armies. In the centuries leading up to the Muslim conquests, many of the Persian wars against the Byzantines involved the use of elephants, as historians like Ammianus Marcellinus have reported.<sup>37</sup> In their accounts of the Muslim conquest, the Muslim historians of the ninth and tenth centuries certainly liked to depict Persian war-elephants in some of the flashier set-piece campaigns that they allegedly fought, and the same authors attested to their presence in the armies of eastern potentates in Sind (roughly modern Pakistan) and India late into the Umayyad period (early eighth century).<sup>38</sup>

As for the ceremonial uses of elephants, that never died out in Persia or in Rome, where keeping elephants appears to have been a royal prerogative. Naturally, the Byzantine and Sasanian empires continued and adapted

<sup>37</sup> For example, Ammianus Marcellinus, *Res gestae*, ed. V. Gardthausen (Leipzig: Teubner, 1875), 19.2.3, 25.3.4–5, 25.6.2.

<sup>38</sup> For example, Muḥammad ibn Jaʿfir al-Ṭabarī, *Taʾrīkh al-rusul waʾl-mulūk*, ed. M. J. de Goeje et al., 15 vols. in 3 series (Leiden: E. J. Brill, 1879–1901), 1: 2359.

the ceremonial role given to elephants by their imperial predecessors. However, in the century leading up to the Muslim conquests, it seems that most Byzantine ceremonial uses of the elephant themselves had Persian connotations: thus, after defeating Chosroes I at Melitene in 573, the Byzantine Emperor Justin II sent 24 captured Persian war-elephants in triumph back to Constantinople, and, in 628, after defeating Chosroes II at Dastagerd, Heraclius entered Constantinople in a chariot conducted by four elephants, perhaps evoking the similarly-conveyed return of the God Dionysus from the East. In addition to waging war with them, many Sasanian shahs used elephants to publicly trample captured prisoners.<sup>39</sup>

Finally, rulers of both late-antique states used elephants as gifts.<sup>40</sup> This essay will not, in the interest of brevity, catalog all such episodes, but there are a good many, particularly if we consider the elephant-gift in Hellenistic and Classical times. In general, there appears to have been a fairly coherent grammar, or rather syntax, of elephant gift-exchange. Elephants were either sent to kings from subordinates, such as a petty ruler on the frontier hoping to avoid conquest, a victorious general, or a provincial governor. Or, elephants were sent to kings from other kings. Never does a king send an elephant to a subordinate. Very rarely, twice in fact, does an outside ruler request an elephant as a gift from a king, and in both cases the outside ruler is a first encounter or otherwise unknown entity. The first was in the autumn of 582, when the Khāqān of the Avars, across Byzantium's Danube frontier, requested an elephant from the new emperor Maurice as part of the tribute owed to him. Theophylact puts it in his usual ornate way, and stresses both the barbarity of the recipient and the arrogance of the request:<sup>41</sup>

The treaty did not last longer than two years: for the Khaqan of the Huns...behaved arrogantly towards the Romans.... [The Khaqan] demanded from the emperor that he come to a sight of [elephants, of which

<sup>39</sup> Justin II: Theophylact Simocatta, *History*, trans. Michael Whitby and Mary Whitby as *The History of Theophylact Simocatta* (Oxford: Clarendon Press, 1986), III.14.10 (95); Heraclius: Nikephoros, *Short History*, ed. and trans. C. Mango (Washington: Dumbarton Oaks, 1990), 18–19/66–67; execution by elephant: Theophylact, V.10.13 (p. 146), al-Jāhīz, *Ḥayawān*, 7: 36 (full citation below). See especially Scullard, *Elephant*, passim; P. Rance, “Elephants in Warfare in Late Antiquity,” *Acta Antiqua Academiae Scientiarum Hungaricae* 43 (2003): 355–84; M. B. Charles, “The Rise of the Sassanian Elephant Corps: Elephants and the Later Roman Empire,” *Iranica Antiqua* 42 (2007): 301–46.

<sup>40</sup> Scullard, *Elephant*, is replete with examples.

<sup>41</sup> Theophylact, I.3.8–10 (24).

he had just heard]. And the emperor...granted that he come to contemplation of elephants by sending him the most outstanding of the beasts bred by him. But when the Khaqan saw an elephant..., he at once terminated the display, and commanded that the beast return to the Caesar, whether in terror or scorn of the marvel, I cannot say.

The second is Charlemagne's request to Hārūn itself, to which I will return. In short, elephants were the gifts of kings: usually by them, but *always* for them.

### *Early Islamic Elephants*

For the generations immediately before and including Hārūn's own time, we are on less secure ground with our sources. But it does seem that as early as late Umayyad times, elephants had regained their ceremonial associations for their Muslim owners, but not their military functions. There is no evidence that the Muslim armies under the first so-called Rightly-Guided caliphs, or the Umayyads or the 'Abbasids (who replaced the Umayyads in 750) ever used them in war at any time. The earliest military use in Islamic history appears to be under a petty Syrian frontier dynasty called the Hamdanids, who made use of one brought with a group of volunteer warriors from Khurāsān in 967; it was paraded in Aleppo, and died there, poisoned, it is said, by Christians in the city.<sup>42</sup>

It thus seems fitting that the first allusion we have to an elephant in an Islamic historical context is as a gift. The chronicler al-Balādhurī tells us that, ca. 710, the Umayyad governor of Sind sent an elephant to his kinsman, the mighty general al-Ḥajjāj, in his Iraqi capital city of Wāsiṭ. The riverside market in Wāsiṭ where it disembarked was known as the "Market of the Elephant" ever since.<sup>43</sup> It is not really certain what al-Ḥajjāj did with this elephant, although he is known to have had a professional elephant trainer in his staff, and he is said to have let a few of his court poets ride his elephant, presumably as a mark of distinction.<sup>44</sup>

<sup>42</sup> Al-Dhahabī, *Ta'rikh al-islām wa-wafayāt al-mashābir wa'l-a'lām*, ed. U. A. Tadmurī (Beirut: Dar al-Kitāb al-'Arabi, 1987), 26: 27 s.a. 356.

<sup>43</sup> Aḥmad ibn Yaḥyā al-Balādhurī, *Futūḥ al-buldān*, ed. 'Abd Allāh Anīs al-Ṭabbā' (Beirut: Mu'assasat al-Ma'ārif, 1987), 410.

<sup>44</sup> 'Amr ibn Bahr al-Jāhiz, *Kitāb al-ḥayawān*, 7 vols. (Cairo: Maṭba'at al-Ḥamīdiyya, 1905–1906), 7: 26. Maḥmūd ibn 'Umar al-Zamakhsharī, *Rabī' al-abrār wa-nuṣūṣ al-akhbār*, ed. Salīm Nu'aymī, 4 vols. (Baghdad: Maṭba'at al-'ānī, 1976), 4: 430.

But it is the elephants of Baghdad that bring us into the realm of Abū'l-‘Abbās and his possible meaning as a gift. Hārūn’s grandfather, the ‘Abbasid caliph al-Manṣūr (r. 754–775) apparently collected his own share of elephants, and the elephant retained its royal symbolism.<sup>45</sup> The chronicler al-Mas‘ūdī (d. 956) states specifically that Manṣūr was moved to do so because of the esteem that the kings of old used to have for them, because they were the gentlest and smoothest of mounts for kings, “and because of their suitability...for parades during festivals, and for other uses.”<sup>46</sup> It is presumably one of these elephants that one observer saw, described as a biblically long-lived elephant: we are told it had bowed before the ancient Sasanian shah Shapur II in the fourth century as well as to the ‘Abbasid caliph Manṣūr in the eighth.<sup>47</sup> As we have already seen, a medieval anthology of poetry tells us that our hero Hārūn’s father, the caliph al-Mahdī, received a large elephant as a gift, which provided the inspiration for the Egyptian historical novel made so popular by Vasiliev. It was this same al-Mahdī who established new royal stables in Baghdad, which included horses, camels, and elephants, and would become known as the Dār al-Fīl (the Elephant House).<sup>48</sup> Charlemagne’s elephant, Abū'l-‘Abbās, then, if he was from Baghdad, would have been kept in these stables.

### *After Hārūn*

After Hārūn, Charlemagne, and Abū'l-‘Abbās, elephants continue to feature exclusively in royal settings. Moreover, it is at this period that our knowledge of early Islamic animals explodes, thanks especially to a compendious encyclopedia of Islamic animal-lore called simply *Kitāb al-Ḥayawān* (Book of Animals), by the famous polymath and essayist al-Jāhīz (d. 869).<sup>49</sup> Elephants possessed the special ability to distinguish between commoners and kings, before whom all members of the species

<sup>45</sup> On the affinity of caliphs for (domesticated) elephants, see al-Jāhīz, *Ḥayawān*, 7: 31.

<sup>46</sup> Al-Mas‘ūdī, *Murūj al-dhahab wa-ma‘ādīn al-jawhar*, ed. and trans. ‘Abd al-Amīr Muḥannā (Beirut: Mu’assasat al-‘alamī li’l-maṭbū‘āt, 1991), 2: 14. On Mas‘ūdī’s substantial interest in elephant-lore, see Urszula Lewicka, “Al-Ma’sūdī on the Elephant,” *Folia Orientalia* 26 (1989): 95–105. See also al-Jāhīz, *Ḥayawān*, 7: 54.

<sup>47</sup> Ibn Qutayba, *‘Uyūn al-akbbār*, ed. Mundhir Abū Sha‘r (Beirut: al-Maktab al-Islāmī, 2008), 2: 105.

<sup>48</sup> *EI2*, s.v. “Iṣṭabl” [F. Viré].

<sup>49</sup> al-Jāhīz, *Kitāb al-ḥayawān*, 7: 22–75.

naturally bow. Some were even trained to provide crowns.<sup>50</sup> Although al-Jāḥiẓ is well-apprieved about African elephants, it is the elephants of India and their presence in the Sasanian and ‘Abbasid courts that captures his imagination. Chosroes II was said to possess many thousands of elephants, and the caliphs were fond of them too.<sup>51</sup> Perhaps it was because of their rarity: he notes that domesticated elephants rarely give birth, and so it is the fate of kings to only have one elephant ever born unto them.<sup>52</sup> And it is the elephant’s royal inclinations that al-Jāḥiẓ alludes to when he says that “I saw in the eye of an elephant deep understanding and contemplation the likes of which I have not seen save in the gaze of a great and august king contemplating grave concerns.” He is also echoing the observation from the Latin writer Cassiodorus (d. 585).<sup>53</sup>

There remains one last elephant-reference that would have been known before, during, and after Hārūn’s time, but not of course to Charlemagne: that of the Qur’ānic elephant in Sura 105, *Sūrat al-Fīl*, “The *Sura* of the Elephant.” That *sura* is brief:

Do you not see how your Lord dealt with the army of the elephant? Did He not utterly confound their plans? He sent ranks of birds against them, pelting them with pellets of hard-baked clay: He made them like cropped stubble.

Despite or perhaps because of its brevity, the *sura* has elicited many long and elaborate exegetical narratives of *tafsīr*. We may take the *Tafsīr* of Muqātil ibn Sulaymān (d. 767) as an early, ‘Abbasid-era representative of the story. Suffice it to say that the *sura* is usually taken to allude to the events of the “Year of the Elephant,” traditionally held to be the year in which the Prophet himself was born, ca. 570 CE. In that year, the Christian Negus of Abyssinia, angered at the Arabs of Mecca for having accidentally set fire to one his churches, sent his vassal Abraha, the Christian king of Yemen, to march on the city and destroy the Ka‘aba. Included in Abraha’s army was at least one of the Negus’s elephants—notice the royal connection. This elephant, even the earliest exegetes tell us, was named with the solidly Muslim name of Maḥmūd.<sup>54</sup> In most versions, the good elephant

<sup>50</sup> Al-Jāḥiẓ, *Ḥayawān*, 7: 62, claims also made by Aristotle and Pliny.

<sup>51</sup> Al-Jāḥiẓ, *Ḥayawān*, 7: 31, 54.

<sup>52</sup> Al-Jāḥiẓ, *Ḥayawān*, 7: 56–57.

<sup>53</sup> Al-Jāḥiẓ, *Ḥayawān*, 7: 54; Cassiodorus, *Variae epistolae*, X.30.

<sup>54</sup> Muqātil ibn Sulaymān (d. 767), *Tafsīr*, ed. ‘Abd Allāh Maḥmūd Shihāta, 5 vols. (Cairo: al-Hay‘a al-Miṣrīya al-‘Amma li’l-Kitāb, 1979–1989), 4: 848. In Muqātil’s version, it should

Maḥmūd refuses to obey his master and, rather than storming the city, it instead sits itself down before the walls of Mecca. In some versions, it is one of the Prophet's relatives who urges the elephant to do this.<sup>55</sup>

What then to make of this? The Qur'anic story of Maḥmūd the elephant is a potent one and its early elaboration in *tafsīr* at least suggests a possible connection to the symbolism of Charlemagne's elephant. But can we get from Abraha's elephant to Charlemagne's elephant? The answer is to be found, I think, in a manual of *adab*, a collection of anecdotes and reflections on refinement, by the scholar al-Zamakhsharī (d. 1144), who also happened to be the author of a Qur'ān commentary. Zamakhsharī's *adab*-manual, like many of its genre, includes a section on wondrous animals, among them, elephants. That there is a connection between the Qur'anic story and Charlemagne's elephant is suggested to me only by Zamakhsharī's lexicographical statement that (as we have seen) all elephants bear the animal-nickname of Abū'l-Ḥajjāj. But, he adds, *this* elephant, the pious Abyssinian elephant Maḥmūd, was specifically called Abū'l-'Abbās.<sup>56</sup> It may be, then, that Abulabaz, Charlemagne's elephant, was also a big, gray (or perhaps white!), Qur'ānic allusion.

## CONCLUSIONS

What are we to do with this evidence? Personally, I find it telling that we have no evidence that the caliphs ever used elephants in battle. Were we dealing with war-elephant using cultures, such as the Carthaginians or the Mughals, then the message of an 'Abbasid elephant-gift could be taken as double-edged. Not just "I have sent an elephant to you Charlemagne," but also "Be careful, Charlemagne, I can send elephants into your

be noted, it is Abyssinian elephants from an earlier attack that refuse to breach the sacred precinct, and Maḥmūd is simply scared off by God's wrath in the form of an army of stone-throwing birds. Most other versions collapse these two elephant-attacks, and it is specifically Maḥmūd who refuses to attack.

<sup>55</sup>This, anyway, is the traditional story as understood in Hārūn's day. Alfred-Louis de Prémare, suspicious of the sura's ambiguities, has suggested another possible context for the sura with radical implications, namely later wars against the Sasanians: Alfred-Louis de Prémare, "Les elephants de Qādisiyya," *Arabica* 45 (1998): 261–69.

<sup>56</sup>Zamakhsharī, *Rabī' al-abrār*, 4: 433: *Kunyat al-fil Abū'l-Ḥajjāj, wa-kānat kunya Maḥmūd fil al-Ḥabasha Abū'l-'Abbās*; for a superficial treatment of al-Zamakhsharī's literary goals with this underappreciated work, see Jean-Claude Vadet, "Les grands thèmes de l'*adab* dans le Rabī' al-Abrār d'al-Zamakhsharī," *Revue des Études Islamiques* 58 (1990): 189–205.

kingdom.” But that is definitely not the case here. Although they will both have known about war-elephants, for both Hārūn and Charlemagne, this animal seems primarily to have had ceremonial functions. As we have seen, in Late Antiquity, elephants had clear royal associations for both Byzantines and Sasanians: they may have been a royal monopoly in both of the caliphate’s predecessor-societies. And the link between elephants, kingship, and gifts was certainly observable before and after Hārūn’s time.

If elephants were not being used for war (or labor), why else would the Muslim governors and caliphs before Hārūn that I mentioned want one (and note that it is, always, just one)? For that matter, why would Charlemagne? One must recall that he requested and received only one elephant, certainly not enough to stampede the armies of his enemies (that Charlemagne’s elephant died while his master was on campaign suggests only an *acquired* military function, and is not proof of the gift’s *original* meaning). Charlemagne’s request evokes the similar request that the Khaqan of the Huns made to the Byzantine emperor Maurice. But while Charlemagne might have been a barbarian from Baghdad’s point-of-view, he was hardly a naïve nomadic chieftain. Charlemagne did not want an elephant for waging war or out of idle curiosity, but because he knew, like Hārūn knew, that elephants, like lions, were the king of beasts and thus, the beast of true kings.

It is undoubtedly true that al-Zamaksharī’s twelfth-century statement that the Qur’anic elephant Maḥmūd bore the nickname Abū’l-‘Abbās must predate his own writing. But how early such an idea extends back into Islamic history or to the time of Hārūn and Charlemagne is impossible to say. So far as my research has determined, the idea has left no earlier trace. But if we assume (as I do not) that such a notion did exist in Hārūn’s day, then that adds a layer of meaning to the gift that its senders at least would have appreciated. Any elephant will bow before kings, but only the Qur’anic Abū’l-‘Abbās bowed before Mecca, and so acknowledged the inviolability of that site and the primacy of the religion of Abraham. By accepting Charlemagne’s request for an elephant, Hārūn was acknowledging the kingliness of its recipient, according to him entrance into the close brotherhood of royal nature-lords that included rajas, caliphs, emperors, and kings. By sending him an elephant named Abū’l-‘Abbās, however, the leader of the Muslim world may have been suggesting to one of the leaders of the Christian world that there were other things worth acknowledging besides royalty.

And so it seems that, of all the scholars since the eighteenth century who have sought meaning in the gift of Abū'l-‘Abbās, on the basis of all the evidence now available, it was the first who was right: the Huguenot lawyer, Barbeyrac. For it was he who said that Hārūn’s elephant-gift to Charlemagne indicated that the two men inhabited a similar plane. It sounds obvious, but in a way it is profound. Too often, modern scholars have seen this episode as an encounter of “East meets West,” between the leader of the most sophisticated civilization on earth and a mere barbarian upstart. I think it merely pleases us Islamicists to believe this picture, and I also think Hārūn was rather less sophisticated and Charlemagne less barbaric than we Islamicists like to pretend. For what is most remarkable in this famous gift-exchange to me is just how fluent both Charlemagne and Hārūn were in their shared language of royal animal-gifts. I think Abū'l-‘Abbās’s bones, wherever they are, do testify to diplomatic relations between Aachen and Baghdad, probably about both Palestine and Spain (not to mention Byzantium), and that they also do provide an elephant-sized hole in the Pirenne Thesis. But they also stand as a reminder that with Aachen *and* Baghdad we—medievalists *and* Islamicists—are (or should be) engaged in the same intellectual endeavor: we are both dealing with two local varieties of a shared post-Classical elite culture, and two different societies on either end of the Mediterranean wrestling with their own connections to a place and time when giants walked the earth.

THE NÜNNING-COHAUSEN POETIC CORRESPONDENCE  
ON BONES ATTRIBUTED TO ABULABAZ

(Edited and Translated by Cynthia Damon)

*Nünning’s Epigram*

Coronidis loco os Elephantis nostrum sequens commendet Inscriptio:

Cerne, non Gigantis, sed terrestris belluae  
Femoris os decumanum.  
Monstrosas ingentis Elephanti exuvias  
Apud Germanos antea nunquam visi.  
Origine Persa est.  
Genere nomineque ABULABAZIUS,  
Regium Aaronis CAROLO M. submissum munus,



Flavissis Veterum undique laudatum.  
 Obstupesce Sceleton,  
 Ex Rheni alveo ubi Lippia confluit, alte effossum.  
 Post nonningentos amplius annos  
 In Scenam litterariam revocatum.  
 Os magni momenti,  
 Ebureo Musei armario servari dignum  
 Dignum, cui BRACHMANES adornent Apotheosin,  
 Ac thura immolent in genua profusi.  
 Dignum, aio, quod cum Alexandri M. Ajace  
 Consecratur Soli.  
 His Naeniis parentandum est ABULABAZIO,  
 Si verum illud Tullii:  
 Elephanto belluarum nulla est prudentior.  
 Quare prae ceteris animantibus  
 Sub pendula corona  
 Illi Inscribendum Lemma  
 Speciali laudis hoc diademate dignus.

In place of a *coronis*<sup>57</sup> let the following inscription recommend our elephant bone.

Behold the immense femur bone, belonging not to a giant but to a terrestrial beast. The monstrous remains of a huge elephant, never before seen in Germany. By origin he (*sc.* the elephant) is a Persian. By race and name, Abulabaz, royal gift of Harun, sent to Charlemagne, mentioned throughout the archives of the ancients. Marvel at the skeleton dug up from deep in the Rhine bed where the Lippia joins it. Recalled to the limelight of learned discussion after more than nine hundred years. A bone of great significance, worthy of preservation in a museum cabinet made of ivory, worthy recipient of apotheosis furnished by Brahmans kneeling prostrate, and of their incense offerings. Worthy, I say, of being consecrated to the Sun with Alexander the Great's Ajax.<sup>58</sup> Such are the eulogies with which we should honor the memory of Abulabaz, if that saying of Cicero's<sup>59</sup> is true: 'Of wild animals none is wiser than the elephant.'<sup>60</sup> Therefore to him, more than to all other creatures, is due to this label, inscribed beneath a hanging crown: 'Worthy of this emblem of special praise.'

<sup>57</sup> A *coronis* is a graphic flourish used to signal the end of a text.

<sup>58</sup> The name of Alexander the Great's elephant.

<sup>59</sup> 'Tully' is a standard form of reference to Cicero (Marcus Tullius Cicero).

<sup>60</sup> Cicero, *De natura deorum* 1.97.

*Cobausen's Response*

Restat ut inscriptioni tuae & meam adjungam.  
 Elephas inter animalia terrestria est validissimum,  
 Femur itaque ipsi, hujusque os  
 Necesse est ut sit maximum.  
 Os hoc ex Bruto est, non bruto,  
 Quod in deliciis & amore fuit  
 Regum Christianorum maximo, *Carolo Magno*.  
 Sic ut ex ungue Leo ita certo ex hoc osse colligitur,  
 Quam vastae molis bellua sit Elephas.  
 Errat, qui monstrum putat,  
 Siquidem, ut Poëta canit:  
*Fama est inter se se sermocinari Elephantes,*  
*Distinctasque susurrare atque emittere voces.*  
 Fuit & dubio procul ex horum genere Abullebazius  
 Aaronem inter & Carolum amicitiae interpres.  
 Aëre Persico natus  
 Inimicum habuit Germanum.  
 Nonnisi octo annis in hoc superstes  
 Properavit ad Charontem.  
 Non Styge sed Rheno submersus,  
 Nisi fallat hoc os inde extractum.  
 Non mirare hujus magnitudinem,  
 Quae ulnam belgicam vix excedit,  
 Non pondus  
 Quae pendet XVII. libras & quadrantem.  
 Haec minora sunt.  
 Mirare potius in eo immane robur,  
 Quod vel integrum armatorum militum  
 Propugnaculum  
 Facile sustinuisset.  
 Mirare & inquire  
 Quid post noningentos annos subtus humum servarit  
 Hoc os a corruptione integrum;  
 Adhuc tot seculis,  
 Si bene servetur, forsitan duraturum.  
 Satis spectasti, abi!

It remains for me to annex to your inscription one of my own, as well.

The elephant is the strongest of terrestrial animals, so its femur and femur bone are necessarily the largest. This bone comes not from a brute

but from Brutus, a source of delight and affection for the greatest of Christian kings, Charlemagne. Just as a Lion can be deduced with certainty from its claw, so from this bone one can deduce how hugely massive a beast the Elephant was. Anyone who thinks him monstrous is mistaken, at least if, as the Poet sings, ‘People say that Elephants converse amongst themselves and whisper and utter distinct words.’<sup>61</sup> Abullebazius was undoubtedly one of this species, an intermediary of friendship between Harun and Charlemagne. Born in a Persian climate, he felt the German climate to be hostile. Surviving in this (*sc.* climate) just eight years, he went quickly to Charon. It wasn’t in the Styx that he sank, but the Rhine, unless this bone pulled out of the latter deceives us. Don’t marvel at its size, which exceeds a Belgian cubit, or its mass, which weighs 17 and a quarter pounds. These are quite insignificant. Marvel rather at the immense strength in it, which would easily have supported even a complete turret of armed men. Marvel, and ask what kept this bone free from decay after nine hundred years underground; perhaps it will last for as many centuries more if well kept. You’ve looked enough, move along!

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<sup>61</sup> Oppian, *Cynegetica* 2.363–64: Φήμη δ’ ὡς ἐλέφαντες ἐπ’ ἀλλήλοις λαλέουσι, / φθογγὴν ἐκ στομάτων μεροπηΐδα τονθρῦζοντες. “People say that elephants speak to one another, / mumbling human speech out of their mouths.”

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# Martial and Spiritual at San Baudelio de Berlanga

*Jerrilynn D. Dodds*

The church of San Baudelio de Casillas de Berlanga has long seemed an anomaly in the history of Romanesque architecture on the Iberian Peninsula.<sup>1</sup> Its central plan and horseshoe arches, and its single, extravagant, enveloping ribbed vault have at times been seen as other to

<sup>1</sup>My thanks to Isidro Bango for his guidance, and for his enduring inspiration. I wish to extend my gratitude to Sarah Davis-Secord, Belen Vicens and Robin Vose for their extraordinary work in this tribute to our dear colleague Remie Constable, whom we miss so deeply. This particular study has profited from the support of the Guggenheim Foundation and the Harlequin Adair Dammann Chair at Sarah Lawrence College, and from colleagues Ana Cabrera, Kyle Lincoln, Therese Martin, Pamela Patton and José Luis Senra. I am indebted to the Department of Medieval Art and the Cloisters at the Metropolitan Museum of Art, and in particular to Geoffrey Danisher at the Esther Raushenbush Library at Sarah Lawrence College. Parts of this article appeared in Spanish in *Pintado en la pared: El muro como soporte visual en la Edad Media*, ed. Santiago Manzarbeitia Valle, Matilde Azcárate Luxán, and Irene González Hernando (Madrid: Ediciones Complutenses, 2018). My thanks to the editorial board of *Pintado en la pared* for permission to include these sections.

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a grand homogenizing project of Romanesque, and the desire to explain the church's stubborn refusal to conform to that round-arched, ashlar paradigm has led more than one scholar to call San Baudelio "Mozarabic" (Fig. 1).<sup>2</sup> San Baudelio's paintings have further confounded a problematic quest for clarity and consistency in the church's decorative program, in particular its large panels of hunters and animals—often understood as secular or exotic in content—some of which echo Umayyad and Taifa prototypes.<sup>3</sup> I would like to propose that perhaps it is not in a search for clear identities and conventional iconographies that San Baudelio is best understood; it is rather through yielding to the iconographical and stylistic tangle of San Baudelio's lower paintings—its sacred and secular histories intertwined with transforming identities on the twelfth-century Duero—that we may unearth some of its richest meanings, and read the complexity of the world from which it sprang.<sup>4</sup>

Today the history of San Baudelio has been exhaustively researched and presented in a monumental monograph by Milagros Guardia to which all future studies of the church are indebted, as they are to several critical essays of Isidro Bango and a reflective state of the question by Marta Poza.<sup>5</sup> All agree that there are two churches of San Baudelio to consider as

<sup>2</sup> See the early distinguished studies of Vicente Lampérez y Romea, *Historia de la arquitectura cristiana española en la edad media* (Madrid: J. Blassy y cía., 1908), 1: 249–52, and Manuel Gómez-Moreno, *Iglesias mozárabes: arte español de los siglos IX a XI* (Madrid: Centro de Estudios Históricos, 1919), 1: 309–20.

<sup>3</sup> See the state of the question by Marta Poza Yagüe, "San Baudelio de Berlanga, cien años después: Balance historiográfico y nuevas interpretaciones," *Goya* 322 (2008): 3–22, and the extensive bibliography of Milagros Guardia (below, note 5).

<sup>4</sup> A number of the "lower" paintings and those of the first level of the Christological program were removed from the church in 1926 and are now dispersed to collections in Spain and the United States. See the accounts of Heather Ecker, "San Baudelio de Berlanga: An Architectural Jewel Remade" (Exhibition Prospectus, Factum Foundation), last accessed July 26, 2020 [https://www.factum-arte.com/resources/files/fa/exhibitions/dossier/san\\_baudelio\\_prospectus\\_02.pdf](https://www.factum-arte.com/resources/files/fa/exhibitions/dossier/san_baudelio_prospectus_02.pdf) and Milagros Guardia Pons, *San Baudelio de Berlanga, una encrucijada* (Barcelona: Universitat Autònoma de Barcelona, Servei de Publicacions, 2011), 32–45. A restoration by the Instituto del Patrimonio Histórico Español completed in 2002 restored the third level of paintings, including an infancy cycle, and surviving decorations of the ribs and vault.

<sup>5</sup> Guardia, *San Baudelio de Berlanga*; idem, "San Baudelio de Berlanga: Estructura Arquitectónica y usos litúrgicos," in *Monumentos singulares del románico: nuevas lecturas sobre formas y usos* (Aguilar de Campoo: Fundación Santa María la Real, 2012), 181–213; idem, "Fortunio Aznárez en Berlanga," *Románico* 20 (2015): 68–77; Poza, "San Baudelio de Berlanga," 3–22; Isidro Bango Torviso, *Arte prerrománico hispano: el arte en la España*



**Fig. 1** San Baudelio de Berlanga: Interior today. Photo: Author

*crisiana de los siglos VI al XI* (Madrid: Espasa Calpe, 2001), VIII-II, 365–68; idem, “La imagen del monasterio hispano. Algunas reflexiones sobre su estructura y significado,” in *El monacato en los reinos de León y Castilla* (siglos VII-XIII). *Actas del X Congreso de Estudios Medievales* (León: Fundación Sánchez Albornoz, 2005), 180; idem, *El arte románico en Castilla y León* (Madrid: Banco de Santander, 1997), 240, and idem, “El protagonismo de

we endeavor to unravel its functions and meanings: an original church of the end of the eleventh or first years of the twelfth century, and a renovated church, perhaps of the 1230s, a reconstruction and decoration of the original edifice following a tumultuous period of war and instability in the Duero basin.

The eastern reaches of the Duero river, where San Baudelio is found, were, by the 1060s, part of a shifting frontier of unstable governance, caught at different times between the kingdoms of Navarre, León, Castile, León-Castile, and the Taifa states of Zaragoza and Toledo (which were, by 1065, tributary states of León-Castile). Wedged between highlands north and south of the Duero river, the monastery of San Baudelio huddles against a hillside some nine kilometers from the town of Berlanga, a place conquered for León-Castile by Ferdinand I (1037–1065) around 1060. Ferdinand's action, however, apparently did not permit him to retain this inconstant frontier, for his son, Alfonso VI, is recorded as taking Berlanga once again in 1080. San Baudelio's initial construction likely occurred between 1080 and 1108, in the years in which Alfonso VI took this corner of the Duero basin, and during which he initiated the restitution of its bishopric, Osma, the episcopal authority under which San Baudelio would lie.<sup>6</sup>

During the same decade as Alfonso's conquest of the eastern Duero, the king would engineer, through a subtle combination of diplomatic and military strategies, the taking of the great city of Toledo. The capital of the old Visigothic kingdom—and subsequently the capital of the Taifa kingdom of Tulaytula—thus became Alfonso's in 1085, an act coded for eleventh-century Iberians of the north with imperial entitlement echoing a mythic Visigothic past. Alfonso placed a Cluniac bishop at the head of Toledo's legendary church, replacing the Mozarabic hierarchy that had reigned over its indigenous Christians under Taifa rule, thus assuaging papal demands for Roman liturgical reform. Bernard of Sauvetat would become archbishop of Toledo in 1088, and he would revive Osma, an ancient bishopric that had been abandoned when the frontier was depopulated. He governed it personally from Toledo until 1101, when he

Soria en el origen de la pintura románica castellanaleonesa: Las pinturas de San Miguel de Gormaz. Un programa iconográfico de carácter funerario," in *Jornadas de Estudio y Difusión del Patrimonio* (Soria: Diputación de Soria, 2010), 89–118.

<sup>6</sup>Guardia, *San Baudelio de Berlanga*, 65–83; "San Baudelio de Berlanga: Estructura Arquitectónica y usos litúrgicos," 181–213.

appointed Peter of Bourges, one of a group of Cluniacs Bernard had brought from southwestern France in 1096 in order to help implement Roman reform on the peninsula. This first episcopal appointment at Osma would initiate a long, intimate relationship between Toledo and Osma that would endure well into the third decade of the twelfth century.<sup>7</sup>

We have no documentation for San Baudelio's original foundation and construction, and no mention of the monastery at all before 1136.<sup>8</sup> We thus do not know if its patronage was secular, royal, or ecclesiastical, nor what kind of community it originally sheltered. The space in which Berlanga's monks worshipped—the only building of the monastery to survive—is, however, eloquent in its own right: as dynamic and breathtaking within as its exterior is restrained and prosaic. This is surely a consciously conceived juxtaposition: at ground level one enters into a single, vertiginous space created by a centrally-planned ribbed vault sprung from a single pillar, with the tiny echo of an Umayyad or Taifa ribbed vault nearly hidden within the top of the support. And yet San Baudelio's individual forms, though remarkable, were not unprecedented. Its architecture is the inspired product of a rich local language of forms that might be redirected or renewed by occasional interaction with local indigenous traditions, or with variations found in the mosques and palaces of Toledo or Zaragoza.<sup>9</sup> It is a language that cannot be readily tagged through association with a single confessional or political group.

From the beginning, San Baudelio's planning included the separation of its monks from its lay congregation, a practice documented both in indigenous tradition on the Iberian Peninsula and in traditions north of

<sup>7</sup> Bernard Reilly, *The Kingdom of Léon-Castilla under King Alfonso VI* (Princeton: Princeton University Press, 1988), 329; Carlos Manuel Reglero de la Fuente, "El obispado de Osma hasta mediados del siglo XIII: génesis y problemática," in *Santo Domingo de Caleruega. Contexto Eclesial Religioso IV, Jornadas de Estudios Medievales*, ed. Cándido Aniz Iriarte and Luis V. Díaz Martín (Salamanca: San Esteban imp., 1996), 183–224.

<sup>8</sup> See Guardia, *San Baudelio de Berlanga*, 21.

<sup>9</sup> In particular, the Capilla de Belén, part of the Palace of al-Ma'mun in Toledo, which subsequently became the palace of Alfonso VI. The more common comparison is the mosque called "Bab al-Mardum" in Toledo. See Guardia, "Imparare dell'altro: Il dialogo tra l'arte cristiana e al-Andalus" in *Atti del Convegno Internazionale di Studi: Medioevo Mediterraneo: L'Occidente, Bisanzio e l'Islam dal Tardoantico al Secolo XII*, ed. Arturo Carlo Quintavalle (Milan: Electa, 2007), 420–35. Heather Ecker ("San Baudelio de Berlanga") suggests that the ribbed vault might have been seen at the Fortress of Gormaz.

the Pyrenees.<sup>10</sup> Its extreme height serves in part to accommodate a tribune to the west of the pillar, entered by both a separate elevated entrance in the western wall of the church and a slender staircase running along the north wall. Beneath the tribune is a low, pillared space open to the main sanctuary, and connected to the northwest with a low cave that might have served as a pre-existing hermitage. The space is surrounded on three sides by a bench of a type common in monastic settings. While credible arguments have been constructed for both possible alternatives, I will argue with others that the apse and the main vessel of the church served as a space for San Baudelio's monks, including the area beneath the tribune with its peripheral monastic bench. Thus, the laity—who in this case must primarily have been those who worked in the monastery in this small, remote foundation—would be relegated to the tribune, and entered the monastic church from a separate entrance to the west.

### RENOVATION OF SAN BAUDELIO

Sometime in the last part of the 1120s or the early 1130s the church of San Baudelio was restored. Guardia has shown that the tribune was enlarged by a bay, and that its small chapel was likely constructed at the same time as the painting of the entire church interior: the lower sanctuary's monumental panels of hunters, animals, and trompe l'oeil textiles; two registers of a Christological cycle above; and more whimsical, cosmic figures and animals tucked into the interstices of the ribs of San Baudelio's dramatic and all-encompassing palm vault belong to this single campaign.<sup>11</sup> The paintings themselves define an interpretive framework within this remarkable space. The disparate compositional strategies and

<sup>10</sup>In 1997, Isidro Bango questioned the commonly held notion that Berlanga's tribune was constructed to serve its monks, attributing it instead to the Cluniac monastic practice of providing a tribune for the laity with direct access from the outside. See *El arte románico en Castilla y León* (Madrid: Banco de Santander, 1997), 240; *Arte prerrománico hispano*, 365–68; “La imagen del monasterio hispano, 180. Guardia and Carrero Santamaría see the tribune as serving the monks: Guardia, *San Baudelio de Berlanga*, 109–124; Eduardo Carrero Santamaría, “Centro y periferia en la ordenación de espacios litúrgicos: Las estructuras corales,” *Hortus Artium Medievalium* 14 (2008): 159–79.

<sup>11</sup>Guardia “San Baudelio de Berlanga: Estructura Arquitectónica y usos litúrgicos,” 194–95. It is now generally accepted that the paintings all belong to the same campaign, of a date before 1136, close to the dates suggested by Guardia (*San Baudelio de Berlanga*, 205), corresponding to her proposed patronage of Fortunio Aznárez, and to a likely moment for the reconstruction of a part of the Duero much ravaged before 1130. To this I would add this was a very productive moment in its bishopric of Osma. A problem remains in our

iconographic references deployed in the lower paintings and the higher registers were executed by the same atelier, and yet their divergent expressive languages serve to underscore the fact of two distinct audiences in the upper and lower churches of this monastic oratory.

The paintings of the two upper registers are composed of crowded New Testament narratives: conventional, legible scenes with a kind of latent energy simmering beneath dense, compact figural compositions. These would have presented a clear and accessible sequence of New Testament scenes to those elevated in the tribune. I suggested long ago that the Christological paintings from the first of Berlanga's upper registers were ordered, not to facilitate the unfolding of a narrative, but so that the church's eastern portions might be seen as the physical location of those events that took place in Jerusalem. The arrangement of paintings seemed to serve to harness this remarkable building of eleventh-century taste to themes befitting the more polarized discourse of the twelfth century: to crusade and Jerusalem, for which the existing grand, vaulted central plan was particularly suited. Guardia has followed a parallel line of reasoning in far more complexity and depth, arguing that San Baudelio of around 1130 was a building meant to serve as a substitute for pilgrimage to Jerusalem and other sites.<sup>12</sup> Her proposal is wide ranging and intricate, and I will not follow its arguments here; but regarding her suggestion that San Baudelio might represent a substitution for the Holy Sepulcher and other holy sites, I believe that documentation from Osma might provide additional support.<sup>13</sup>

incomplete record of painting in León-Castile. See Bango Torviso, "El protagonismo de Soria," 89–93.

<sup>12</sup> Jerrilynn Dodds, "Wall Paintings. Hermitage of San Baudelio de Berlanga," in *The Art of Medieval Spain A.D. 500–1200*, ed. Jerrilynn Dodds, Charles Little, Serafin Moralejo, and John Williams (New York: Abrams, 1993), 223–28; "Hunting for Identity," in *Imágenes y promotores en el arte medieval*, ed. María Luisa Melero (Bellaterra: Universitat Autònoma de Barcelona, Servei de Publicacions, 2001), 89–100 broached the idea of a replica of Jerusalem in 1993. Guardia's idea is far more developed and elaborated. See *San Baudelio de Berlanga*, in particular 183–201 and 397–428, and "San Baudelio de Berlanga: Estructura Arquitectónica y usos litúrgicos," 197–99.

<sup>13</sup> Pope Innocent II conceded remission of penitence to pilgrims who gave contributions to the Cathedral of Osma, permitting them to substitute Osma for other pilgrimage sites. Additionally, Bertrán began a confraternity of the Holy Cross at this same moment. See Teófilo Portillo Capilla, "La regla de San Agustín en la catedral de Santa María de Osma," in *Santo Domingo de Caleruega: contexto eclesial religioso: IV Jornadas de Estudios Medievales* (Salamanca: San Esteban imp., 1996), 229–33; Juan Loperráez Corvalán, *Descripción*

## THE LOWER PAINTINGS AT SAN BAUDELIO

In this study I would like, however, to return to what are commonly called the “lower paintings” of San Baudelio, those that adorn the walls of the principal sanctuary. These monumental panels of hunters or individual animals are in their visual language markedly divergent from the Christological paintings above, though they were painted by the same workshop in the same campaign.<sup>14</sup> These images are discrete, detached, and episodic, and it has not been possible to relate them to a biblical or hagiographical program that interacts meaningfully with the Christological paintings above.<sup>15</sup> These divergent languages of expression, however, buttress our understanding that two separate audiences are addressed in the lower and upper church. The paintings of the superior levels are composed of easily read, conventional iconographies suitable for the laity, while the lower paintings are more elusive to the uninitiated. Their monumentality—scenes or out-scaled single images floating on red or white grounds—suggests they are more emblematic than narrative, and imbues them with a particular power entirely divergent from the crowded New Testament panels in the two registers above them. Though we commonly call them the lower paintings, they are in fact elevated above the dado, where a trompe l’oeil textile motif with animal medallions girdles the base of the lower sanctuary. The lower paintings themselves thus invite one to lift one’s gaze, and their monumental and at times dynamic subjects loom over the spectator in the principle, lower sanctuary, an impression augmented by the large scale of the images in relation to the confined scale of the sanctuary space.

I have, in the past, seen certain of these animals (elephants, camels, and heraldic eagles on trompe l’oeil textiles), as recognizable evocations of objects of Umayyad or Taifa manufacture, evoking gifts, tribute or booty, and the hunting scenes and warriors as part of a long tradition in the arts

*histórica del Obispado de Osma*, 1 (Madrid: Turner, 1978 [reprint]), 104–5. The monumental column at Berlanga, painted with the figure of a militant monk, recalls images of saints on later column paintings in the Holy Land (Jaroslav Folda, “Twelfth-Century Pilgrimage Art in Bethlehem and Jerusalem: Points of Contact between Europe and the Crusader Kingdom,” in *Romanesque and the Mediterranean. Points of Contact across the Latin, Greek and Islamic Worlds c.1000 to c.1250*, ed. Rosa Maria Bacile and John McNeil (British Archaeological Association, 2015), 1–14.

<sup>14</sup>Above, note 11.

<sup>15</sup>Poza, “San Baudelio de Berlanga.”



in which the hunt signifies lordship, including authority over the land. My thought was that this visual bravura concealed a language of ambivalent signs evoking conquest and lordship: the isolated figures might seem coded on one level as evocations of ideological warfare with Islam as a mythic other, but on another level, that meaning quickly fragmented, and became the visual terms in which struggle with any adversary might be expressed.<sup>16</sup>

More recent interpretations of the paintings have also tended to choose between sacred or secular meanings. Guardia agreed with the basic terms of this lordly and militant interpretation for the lower paintings, proposing them to be a celebration of the exploits of a lord of Berlanga, Fortunio Aznárez.<sup>17</sup> Antonio de Ávila saw the figures as “a catechesis for the battle against sin” and for the spiritual development of the monk.<sup>18</sup> Marta Poza, following on the interpretation of Bango and taking a cue from de Ávila, focused on what the lower paintings might mean for San Baudelio’s monks, worshipping in the lower sanctuary: the camel might evoke humility, the warrior, a monastic *miles Dei*.<sup>19</sup> I wonder now if these lordly and militant themes might be seen as paired with a sacred meaning specific to Berlanga’s monks: a rather dogmatic monastic iconographical program inflected with this same martial energy.

The key to the vocation of the monks is, to my mind, the gleeful hunter of hares (Fig. 2). He is, as de Ávila observes, tansured.<sup>20</sup> The monastic hare hunter turns and looks toward the viewer: he is triumphant and dynamic, almost defiant as he runs his hares into their net, the body

<sup>16</sup> “Hunting for Identity,” 89–100; “Hermitage of San Baudelio de Berlanga.” I understood the adversarial relationship and the fight for hegemony implied here to refer to the struggle between the dioceses of Osma and Sigüenza, suggesting an untenable date. Though I still see at San Baudelio a militant language evoking lordship, the present study will serve as a correction of that date and context.

<sup>17</sup> Guardia agreed with part of this early interpretation, using it to propose the intervention of Fortunio Aznárez as a patron who wished to show “su condición de noble, victorioso sobre el enemigo musulmán.” *San Baudelio de Berlanga*, 434. Guardia also sees the images in the lower church as particularly aimed at a lay audience. *San Baudelio de Berlanga*, 389, note 151, and 434.

<sup>18</sup> Antonio de Ávila Juárez, “San Baudelio de Berlanga: fuente sellada del paraíso en el desierto del Duero,” *Cuadernos de Arte e Iconografía* XIII.26 (2004): 333–96 offers an encyclopedic approach, seeing the imagery as “una catequesis de la lucha contra el pecado” del monje, “y su progreso espiritual” to Paradise, as represented in the architectural interior.

<sup>19</sup> Poza, “San Baudelio de Berlanga,” 3–22. For Bango Torviso see above, note 5.

<sup>20</sup> De Ávila Juárez, “San Baudelio de Berlanga,” 354.





**Fig. 2** Hare Hunter, San Baudelio de Berlanga. Courtesy of the Museo Nacional del Prado, Madrid

double of the monks whose gaze he meets, presumably, in the lower section of the church. José Luis Senra has argued that such images of the hunt should be read eschatologically, as signs of the struggle for salvation, citing Ambrose of Milan: “God has made you a hunter, not a harrier ... hunters, not of crime, but of absolution therefrom; hunters, certainly not of sin, but of grace.”<sup>21</sup> Such a devotional interpretation is particularly appropriate for Berlanga’s monks. But I believe that such a scene also carries a second, allusive meaning as well.

Consider Berlanga’s hunter together with the celebrated image of Harold as a hunter from the Bayeux tapestry (Fig. 3).<sup>22</sup> The similarities between the two scenes suggest that they both ultimately derive from

<sup>21</sup> José Luis Senra Gabriel y Galán, “La iconografía del primer proyecto catedralico: Un tránsito de perfección hacia el hombre espiritual,” in *En el principio, génesis de la Catedral Románica de Santiago de Compostela: contexto, construcción y programa iconográfico*, ed. José Luis Senra Gabriel y Galán (Santiago de Compostela: Teófilo Ediciones, 2014), 178–79, 179 note 62; Ambrose of Milan, *Hexameron*, 3.50, trans. John J. Savage (Washington, DC: Catholic University of America Press, 1961), 263.

<sup>22</sup> A comparison cited in particular by Guardia and Muñoz: Guardia, *Las pinturas bajas de la ermita de San Baudelio de Berlanga (Soria). Problemas de orígenes e iconografía* (Soria: Diputación de Soria, 1982), 134; *San Baudelio de Berlanga*, 369 and 372; José Miguel Muñoz Jiménez, “Las pinturas de San Baudelio de Berlanga y el tapiz de Bayeux: la posible inspiración nórdica del ciclo profano,” *Goya* 253–254 (1996): 12–17.



Fig. 3 Harold with Falcon and Dogs, detail: The Bayeux Tapestry. Musée de la Tapisserie de Bayeux, Bayeux. Photo: Alamy

common late antique sources, though in each case the ideas evoked are intertwined with contemporary ones.<sup>23</sup> In the context of the tapestry narrative the iconographical purpose of the hunt is to present Harold as a lord in his own right, part of the political *mise en scène* for the feudal drama about to unfold on the tapestry. Hunting here might be part of the narrative, but the prominence it takes in the imagery is a code for Harold's lordly status, as well as his pretensions to hegemony over lands that (in the tapestry's discourse) ought to belong to William. I would suggest that, because of shared traditions, this is a language readable across borders, and that the image can be used to project the same basic values at Berlanga. We see the power inherent in placing our monk upon that same horse, following very similar hounds. He is first an active, dynamic ascetic, hunting grace, hunting souls. And yet he is also a lord, in the act that defines this part of his identity: hunting on horseback. The issue for us is how

<sup>23</sup> Muñoz Jiménez, "Las pinturas."

**Fig. 4** *Miles Dei*, San Baudelio de Berlanga. Courtesy of the Museo Nacional del Prado, Madrid



much of that lordly meaning adheres to such an image in a monastic context. Is it possible for the image to be appropriated for a devotional meaning without echoing, as well, the worldly activity that is also at the heart of its meaning? I doubt this.

Near the hare hunter, the standing warrior of the lower paintings at Berlanga is also tonsured: he is the image of a venerable *miles Dei* in the context of the church, a model for San Baudelio's brothers (Fig. 4). Holding a round shield and spear, he faces the principal entrance, confronting those who enter the sanctuary with a stately countenance, his august age expressed through his white beard and hair. The ambivalence he projects—a brother, a spiritual warrior, and yet also a warrior in the



**Fig. 5** Falconer, San Baudelio de Berlanga. Indianapolis Museum of Art. Photo: Google Images

world—is part of his identity, one infused with mimetic power through markers of his age and his monumental, almost naturalistic presence. A similar image was repeated on the central pillar of the church, so that the two warriors, side by side, infuse the lower sanctuary with their startling, militant vigilance.



But perhaps the most intriguing and problematic image in the lower paintings of Berlanga has been the mounted falconer, an image that has been most difficult to associate with a devotional theme, and yet arguably the image that performs one of the program's key concepts (Fig. 5). It is the largest of the panels of the lower paintings, and it flanked the apse, standing sentry to that privileged space. The falconer's horse walked toward the door, toward the outside world, while Christ made his inexorable march to Calvary, toward the apse, in the register above. The falconer, like the hare hunter, turns to face the viewer and he thus also faces in the direction of two warriors across the small sanctuary, so that the viewer in the lower church is embraced by the underlying tension between these martial figures, and their messages—both spiritual and militant. Here is a monastic theme that bristles with militant activity, imbued with echoes of both dynamic spirituality and lordly concerns.

The falconer, indeed, has had a long and active history in the interplay of social and confessional meanings in medieval Europe.<sup>24</sup> It would signify kingship from a very early period in England, where falconry had a long pre-Norman history, and it could, in some contexts, come to represent the dangers of a worldly life in a moralizing discourse from around the thirteenth century.<sup>25</sup> But this meaning had not yet coalesced as an idea south of the Pyrenees in the early twelfth century.

The propagation of the image of the falconer on the Iberian Peninsula and at San Baudelio is instead related primarily to Umayyad art, an artistic tradition nourished not only by common Roman foundations, but also by renewed contact with Sasanian and Byzantine imagery.<sup>26</sup> For the Umayyads falconry was not just an elite practice but also a code for dynastic identity, a visual reminder that 'Abd al Rahman I was called the "falcon of the

<sup>24</sup> Jerrilynn Dodds, "A Note on the Mounted Falconer," in *Al-Kitab: estudios en homenaje a Juan Zozaya Stabel Hansen*, ed. Carmelo Fernández Ibáñez (Madrid: Asociación Española de Arqueología Medieval, 2019), 47–56.

<sup>25</sup> Ann Carrington, "The Horseman and the Falcon: Mounted Falconers in Pictish Sculpture," *Proceedings of the Society of Antiquaries of Scotland* 126 (1996): 459–68; Robin Oggins, *The Kings and their Hawks: Falconry in Medieval England* (New Haven: Yale University Press, 2004), especially 39–43.

<sup>26</sup> Camón Aznar early saw the relationship of the Berlanga paintings with Andalusí objects. José Camón Aznar, "Pinturas mozárabes de San Baudelio de Berlanga," *Goya* 26 (1958): 76–80. This banner was taken up with great energy by Juan Zozaya, "Algunas observaciones en torno a la ermita de San Baudelio de Casillas de Berlanga," *Cuadernos de la Alhambra* 12 (1979): 307–38.



**Fig. 6** Falconer, Pyxis of Ziyad ibn Afflah. With permission of the Victoria and Albert Museum, London



Fig. 7 Falconer, Fermo Chasuble. Museo Diocesano, Fermo. Courtesy of the Bruschetti Foundation, Genoa. Photo: Gaetano Apicella

Quraysh.”<sup>27</sup> Falcons appeared in luxury textiles and ceramics, and on elite ivory objects used to visually establish allegiance, and embellish one’s aristocratic status and courtly ambitions within a web of more specific political meanings, as on the pyxis of ibn Ziyad ibn Aflah, al-Hakam II’s prefect of police (Fig. 6).<sup>28</sup> At the fall of the Umayyads in the early eleventh century,

<sup>27</sup> Sophie Makariou, “The Al-Mughira Pyxis and the Spanish Umayyad Ivories: Aims and Tools of Power,” in *Umayyad Legacies: Medieval Memories from Syria to Spain*, ed. Antoine Borrut and Paul Cobb (Leiden: Brill, 2010), 313–35. Thanks to Olga Bush for wise counsel.

<sup>28</sup> Makariou, “The Al-Mughira Pyxis.”

this iconography began to embody a less specific reference to princely triumph, understood across increasingly fragmented political frontiers. A profusion of objects featuring a mounted falconer, some of which were circulated through tribute, trade, as gifts, or at times through conquest during the caliphate and after its fall, harnessed the shared artistic meanings from late antique *latifundia* traditions to a static, iconic Umayyad image of falconry. This type would dominate the semiotic field through sheer numbers, and through the quality of execution and the opulence of materials of the objects on which the type was found. The Fermo Chasuble (Fig. 7) includes images of falconers, together with elephants bearing howdahs (another feature of the lexicon of imagery familiar from Umayyad ivory traditions).<sup>29</sup> On the “Suaire of Saint Lazare of Autun,” an Arabic inscription on the belt of a mounted falconer proclaims him to be “The Victorious” (i.e., to say ‘Abd al-Malik ibn al-Mansūr, or a member of his army).<sup>30</sup> He balances a falcon on one hand and holds a hare by the ears with the other, a quite accessible iconography of victor and vanquished.

Though a militant meaning is clear, a monastic meaning for the falconer is more elusive. Ambivalence seems to have been purposefully sought however in the other images of the lower paintings, which exhibit a tense cohabitation of spiritual and lordly or martial meanings. The elephant, a favored metaphor for sexual continence, appears with a large howdah or castle on his back, harnessing that devotional goal with a kind of militancy (Fig. 8).<sup>31</sup> Moralizing images of elephants from bestiaries or texts before the mid-twelfth century do not feature the howdah, though Isidore and other commentators describe them. This is perhaps because the story of the elephant and the snake as described in Isidore, the *Physiologus*, and Ambrose took precedence with its moralizing potential, evoking as it does its connection to Adam and Eve, to whom elephants are

<sup>29</sup> Avinoam Shalem, ed., *The Chasuble of Thomas Becket: A Biography* (Munich: Hirmer, 2017). Thanks to Avinoam Shalem and Elisabetta Raffo for their generosity in making photos of the chasuble available for this study.

<sup>30</sup> Eva Baer, “The Suaire of Saint Lazare, An Early Datable Hispano-Islamic Embroidery,” *Oriental Art* 13 (1967): 36–49. See also Sophie Makariou, “Quelques réflexions sur les objets au nom de ‘Abd al-Malik ibn al-Mansūr,” *Archéologie islamique* 11 (2001): 51–54, who questions the exact identification of the image with ‘Abd al-Malik. More recently Ariane Dor, “The Suaire de Saint Lazare at Autun: The Story of the Shroud, or, How a Hispano-Moresque Silk Became a Relic,” in *The Chasuble of Thomas Becket*, 126–41.

<sup>31</sup> There is also an elephant in the vault, the howdah of which is smaller in scale and more decorative in nature. This image, as Guardia has noted, projects a more diminished militancy than the monumental one in the nave. Guardia, *San Baudelio de Berlanga*, 373–74.





**Fig. 8** Elephant, San Baudelio de Berlanga. Courtesy of the Museo Nacional del Prado, Madrid



**Fig. 9** Elephants and eagles in roundels, Fermo Chasuble. Museo Diocesano, Fermo. Courtesy of the Bruschetti Foundation. Photo: Gaetano Apicella



**Fig. 10** Trompe L'Oeil Textile, San Baudelio de Berlanga. Courtesy of the Museo Nacional del Prado, Madrid

connected through their supposed manner of procreation.<sup>32</sup> The monumental elephant with howdah at Berlanga places the legendary continence and strength of this animal in a more bellicose context.<sup>33</sup>

Like the falconer, the elephant and howdah carry a reference to Umayyad objects, such as the pyxis of ibn Ziyad ibn Aflah, which also featured a falconer, or to the Fermo Chasuble, which includes not only elephants with howdahs and falconers, but also eagles in roundels, like those in the trompe l'oeil textile that covers the south side of the tribune front at San Baudelio (Figs. 9 and 10).

The camel and the dromedary are not featured in the *Physiologus*. However, Mateo Gómez points out that St. Augustine connects the camel with humility and, by the early thirteenth century, it appears at Notre Dame in Paris in an allegory of obedience, both essential monastic virtues.<sup>34</sup> Berlanga's is remarkably recognizable, especially if one places it next to later bestiaries, or to the camel at Sant Joan de Boí, where an expressive, if not altogether plausible, camel adorns the dado of the north wall.<sup>35</sup> Bred in medieval al-Andalus but rarely found in life north of the Tajo, the camel became part of a literary topos repeatedly mentioned in the *Chronica Adefonsi Imperatoris* as part of the prized booty obtained from the Almoravids in the campaigns of Alfonso VII and his

<sup>32</sup>Willene B. Clark, *A Medieval Book of Beasts: The Second-family Bestiary: Commentary, Art, Text and Translation* (Woodbridge, Suffolk: Boydell Press, 2006), 10 and 128.

<sup>33</sup>Guardia interprets San Joan de Boí, dating about 1100, through "el concepto de la variedad y a la vez de la intención de ordenación armónica, para sugerir el mundo creado y como panegírico de su creador." Guardia, "De lo supuestamente profano y de lo sacro en las pinturas de Sant Joan de Boí," *Codex Aquilarensis* 33 (2017): 98. A small elephant with howdah in the intrados of the triumphal arch at Santos Justo y Pastor in Segovia accompanies an image of Adam and Eve, suggesting its moralization within a Genesis cycle. Joan Sureda Pons, *La pintura románica en España* (Madrid: Alianza, 1995), 75; Daniel Galindo Jiménez, "San Justo de Segovia: Una nueva interpretación iconográfica en el contexto de la dedicación de una iglesia," *Codex Aquilarensis* 24 (2008): 185–90.

<sup>34</sup>Isabel Mateo Gómez, "San Baudelio de Berlanga, Un posible precedente formal e iconográfico de otras manifestaciones artísticas de los siglos XIV y XV," in *Arte, poder y sociedad en la España de los siglos XV a XX*, ed. Miguel Cabañas Bravo et al. (Madrid: CSIC, 2008), 435–44; Adolf Katzenellenbogen, *Allegories of the Virtues and Vices in Medieval Art* (New York: Norton, 1964), 76, note 1.

<sup>35</sup>On the paintings of Sant Joan de Boí, which date around 1100, see Guardia, "De lo supuestamente profano," 85–106. An earlier image of a camel from the *Fabularum apologi* (BNF NAL 1132, fol. 39v), ninth-tenth centuries, looks like a sort of hairy rhinoceros.





Fig. 11 Prologue page, Hugh de Fouilloy, *De Avibus*, Abbey of Heiligenkreuz MS 226, folio 129v. With permission of the Zisterzienserabtei Stift Heiligenkreuz, Österreich

contemporaries (this may also be the case for the oxen painted on the south wall).<sup>36</sup> The camel might be seen, in fact, as a marker for tribute. In the *Chronicle of the Kings of León*, written by Bishop Pelayo of Oviedo between 1121 and 1132, a Muslim king of Toledo, whose marriage to a daughter of King Alfonso V was interrupted by an angel, sent his bride back to León with camels laden with untold riches, fabrics, and gold, as penance for his impiety.<sup>37</sup> So the camel, oxen, and trompe l'oeil fabric with eagles—the images most closely related to the idea of tribute—circle the southern part of the lower sanctuary, while hunters and monastic warriors besiege the northern side, near the oratory's entrance.

Though the animals at Berlanga do not seem to follow the standard narratives of many later bestiaries, the idea of using animals as *exempla* does appear in twelfth-century texts created specifically for monastic



Fig. 12 Falconer, *Moralia in Job*, Bibliothèque Municipale de Dijon MS 173, folio 174. With permission of the Bibliothèque Municipal de Dijon

<sup>36</sup> Simon Barton and Richard Fletcher, eds. and trans., *The World of El Cid. Chronicles of the Spanish Reconquest* (New York: Palgrave, 2000), for example, 180–81.

<sup>37</sup> Simon Barton, “Marriage Across Frontiers: Sexual Mixing, Power and Identity in Medieval Iberia,” *Journal of Medieval Iberian Studies* 3 (2011): 12; Barton and Fletcher, *World of El Cid*, 74–89.

consumption.<sup>38</sup> In his famous sermon “On Noah’s Ark,” written between 1125 and 1130, for example, Hugh of St. Victor describes the ark as composed of different aspects of monastic life. The beasts he sees as symbols for the active life, while the birds embody the contemplative life.<sup>39</sup> This is the theory followed by Hugh of Fouillooy, whose *De Avibus* (also known as the *Aviarum*) was a didactic text specifically written to instruct the lay brothers and novices of his order in correct monastic thinking and behavior. Hugh wrote the *De Avibus* when he was prior of St-Nicolas-de-Regny, an Augustinian house near Amiens, with the idea of using birds to fashion a moral theology intended for a monastic audience.<sup>40</sup> We do not have the original manuscript of his treatise, which was composed as early as the 1130s, but we know that it was an extremely popular work, of which ninety-six copies survive, fifty-five of these illustrated.<sup>41</sup>

In a late-twelfth century image from one of the earliest copies of the *De Avibus* to survive, we see illustrated Hugh’s governing metaphor: the lay brother—who was often formerly a knight—is like the falcon, while the clerical brother is like a dove (Fig. 11). They both share the same perch, which represents, Hugh explains to us, the monastic rule; the lay brothers perform more worldly tasks, while the clerical brothers take on contemplative duties. The tame falcon, he says, captures wild birds as the lay preacher captures laymen and draws them into religion. Clearly Hugh was concerned not just with life within the cloister but also, in the words of Fonseca, with “contact with the world ... with the evangelization of worldly realities.”<sup>42</sup> The *Aviarum*’s date coincides so exactly with the presumed dates of the Berlanga paintings that a direct connection to the

<sup>38</sup>Willene B. Clark, “Twelfth and Thirteenth-century Latin Sermons and the Latin Bestiary,” *Compar(a)ison* 1 (1996): 5–19.

<sup>39</sup>Clark, *A Medieval Book of Beasts*, 20.

<sup>40</sup>Willene B. Clark, ed. and trans. *The Medieval Book of Birds: Hugh of Fouillooy’s Aviarium. Edition, Translation and Commentary* (Binghamton NY: Medieval and Renaissance Texts and Studies, 1992), 2–3 and 6–9. He looks especially to Isidore of Seville, Hrabanus Maurus, and Gregory the Great’s *Moralia in Job* among other sources (11–12).

<sup>41</sup>Clark, *The Medieval Book of Birds*, xi. In recent studies she places the date of the *De Avibus* between 1132 and 1152 (5–10). See also Charles de Clercq, “Hughes de Fouillooy, imagier de ses propres oeuvres?” *Revue du Nord* 45 (1963): 31–43, who considers whether Hugh illustrated the *De Avibus* himself.

<sup>42</sup>Author’s translation. Cosimo Fonseca, “Hugh de Fouillooy entre l’ordo antiquus et l’ordo novus,” *Cahiers de civilisation médiévale Xe - XIIIe siècles* 16 (1973): 303–12.

**Fig. 13** San Baudelio de Berlanga, Intrados of apse entrance.  
Photo: Author



text would be precocious.<sup>43</sup> What we might glean from Hugh's remarkable *Aviary*, however, is that the moralized position of the falconer in the twelfth century was ripe for metaphors regarding the active cleric and his hunting of souls, integrating the image of a lordly active life into the monastic precinct without programmatic discordance.

<sup>43</sup> Clark suggests 1132 as a terminus post quem, though Baudouin Van den Abeele proposes an earlier date. See Sabine Obermeier, *Tiere in der Literatur de Mittelalters. Ein interdisziplinäres Lexikon*, Johannes Gutenberg Universität, Mainz, <https://www.animaliter.uni-mainz.de/>.





**Fig. 14** Cranes. The Peterborough Psalter, Cambridge, Corpus Christi College, Parker Library MS 53, folio 199r. With permission of The Parker Library, Corpus Christi College, Cambridge

Another dashing falconer appears, for instance, in an illustrated *Moralia in Job* of 1111, in an image Rudolph sees as a metaphorical *miles Dei*, a monastic version of Job restored in the chapter for which this is the initial (Fig. 12).<sup>44</sup> This kind of image might possibly have provided a typological model for Hugh's *Aviarium*, which itself quotes Gregory the Great's *Moralia* copiously, and both works establish a context for understanding the layering of meanings that are at once lordly, active, and monastic in the same figure. Hugh's special attention to the falcon might, in fact, derive from his intimacy with the *Moralia*, in which positive moralization around the falcon or hawk occupies much of Book XXXI.<sup>45</sup> And this tendency also follows the reformist and analytic path of the moment. We might indeed see such a complex assignment of quite specific meanings to recognizable imagery as part of a nascent twelfth-century symbolist culture in monastic

<sup>44</sup> Conrad Rudolph, *Violence and Daily Life: Reading, Art and Polemics in the Dijon 'Moralia in Job'* (Princeton: Princeton University Press, 1997), 90.

<sup>45</sup> de Clercq, "Hughes de Fouillois," 35. Another important copy of the *Moralia* is to be found in the archives of the Obispado of Osma (177C S).

writing.<sup>46</sup> As Hugh of St. Victor defined it, symbolism is “a coaptation of visible forms brought forth to demonstrate some invisible matter.”<sup>47</sup> This seems to articulate the interpretive habit of thinking that propels much of the imagery of San Baudelio’s lower paintings, which show, beyond their specific monastic metaphors, a tendency to signify on a number of levels—floating always at the limit between thought and speech, lordly and monastic.

A more difficult problem is posed by the bird that occupies one of the most prestigious positions in the apse of San Baudelio. It is often identified as an ibis or a pelican, the latter because of the eucharistic associations with the pelican’s mythological self-sacrificing behavior, though neither identification sits with complete comfort.<sup>48</sup> The same bird, its neck once again bowed, is repeated in a procession of birds in light and dark tones in the intrados of the triumphal arch of the apse, and might easily be dismissed as an ornamental conceit, except for the way that they echo the large one on the eastern wall (Fig. 13). They recall a text of Isidore, who follows Pliny the Elder, explaining that cranes fly in a group, assiduously following their leader; they take turns as sentries while the others sleep, the sentry holding a stone in his claw, so that if he falls asleep the stone will fall and alert the group. Medieval moralizers see this behavior as reflecting vigilance as regards the common good.<sup>49</sup>

The position of the long-legged birds at Berlanga is similar to that of a group of cranes in the Peterborough Bestiary (dated around 1300) (Fig. 14), sleeping while their leader stands sentry, a stone in his claw.<sup>50</sup> And they also resemble a bird with bent neck that has been identified contextually as a crane by Bolduc, from a manuscript of around 1200.<sup>51</sup> The frames of this image and the cranes from Berlanga’s intrados are similar, and might be thought to derive from a common model.

<sup>46</sup> Marie-Dominique Chenu, “The Symbolist Mentality,” in *Nature, Man and Society in the Twelfth Century, Essays on New Theological Perspectives in the Latin West*, ed. and trans. Jerome Taylor and Lester Little (Chicago: University of Chicago Press, 1957), 99–145.

<sup>47</sup> Cited in Chenu, “The Symbolist Mentality,” 99 and note 5.

<sup>48</sup> Guardia, *San Baudelio de Berlanga*, 411–12 and note 188.

<sup>49</sup> Isidore of Seville, *Etymologies*, 2.7.12–15; Hrabanus Maurus, *The Nature of Things*, 22.6.

<sup>50</sup> Corpus Christi College, University of Cambridge, Parker Library Manuscript 53, fol. 199r.

<sup>51</sup> Michelle Bolduc, “Silence’s Beasts,” in *The Mark of the Beast: The Medieval Bestiary in Art, Life, and Literature*, ed. Debra Hassig (New York: Routledge, 2000), 193–94. She sees Hugh as the source of the image’s meaning (Nottingham, University Library, Ms. Middleton Mi.LM.6, fol. 218v).



**Fig. 15** Deer Hunter, San Baudelio de Berlanga. Courtesy of the Museo Nacional del Prado, Madrid

Once again, an unusual animal makes its way into medieval allegorical traditions through Hugh de Fouillooy, as part of that author’s quest for birds who represented the communal monastic ideal.<sup>52</sup> In describing the crane’s communal flight, he says that as:

night approaches, the (crane) which leads, descending to earth with the others, seeks a place of rest. Then, to protect themselves they all immediately establish watches, so that the remainder may enjoy their quiet of sleep more securely. In the watch ... we can understand any mature brothers who, in the spirit of community, take precautions for their brethren against temporal things and spiritual care for them as individuals. To the best of their ability

<sup>52</sup>Baudouin Van den Abeele, “Kranich,” in Sabine Obermeier, *Tiere in der Literatur de Mittelalters. Ein interdisziplinäres Lexikon*, Johannes Gutenberg Universität, Mainz, Papagei—E.4—II.1 Physiologus, Bestiarien, Kranich: <https://www.animaliter.uni-mainz.de/2011/06/23/kranich-c-ii-1-physiologus-bestiarien/>.



**Fig. 16** Deer Eating Dittany, British Library, Harley MS 4751, folio 14v. With permission of the British Library

they are watchful to ensure the brothers' obedience, so they may skillfully keep them from the incursions of demons and the intrusions of worldly things.

Cranes, for Hugh, “symbolize ... those (brothers) who strive to live by the rule ... they denote, moreover, those who by righteous living form within themselves the teachings of the Scripture.”<sup>53</sup> Though Berlanga's birds are in the position that the Peterborough Psalter assigns for sleep, their eyes are ostentatiously open, as if to show that they are all vigilant: in Hugh's words, “in the spirit of community.” “Observe,” he concludes, “how the life of religious can be taught through the nature of birds.”<sup>54</sup>

After falcons and doves, cranes are prominent among the protagonists of Hugh's birds; he expands the metaphor between cranes and monastic brothers at some length, and he takes pains to tell us that cranes become darker in color as they age, relating these older, darker cranes directly to older monastic brothers within a community. This might explain the variation in the light and dark colors of the birds in the intrados of Berlanga's

<sup>53</sup> Clark, *The Medieval Book of Birds*, 202–3.

<sup>54</sup> Clark, *The Medieval Book of Birds*, 204–5.

apse entrance, and this focus on older brothers, in turn, recalls its venerable, white haired *miles Dei*: connecting these images to a concern, as in Hugh's text, for the role of mature brothers in the monastic community.<sup>55</sup>

If these birds are cranes, they metaphorically place the monks' own activities at the heart of the church, where contemplative life reigns. It is possible, then, that the ambivalence we see in the images of the lower church at Berlanga is part of a web of meanings that include both active and contemplative life in this renewed monastery on the frontier: vigilant spiritual monks and active militant monks—*milites Dei* like the falconer—acting in a collective like Hugh's birds.<sup>56</sup>

Other scenes from the lower paintings can be related to this fabric of monastic meanings only in a more general sense. At Berlanga, a hunter with a crossbow stalks a deer on foot, and the deer, wounded by his arrow, runs toward a tree.<sup>57</sup> In many sources the deer appears as a slayer of serpents, a symbol for Christ, but it is difficult to reconcile this more common moralization with the deer and its hunter at Berlanga (Fig. 15). Antique sources recount that the stag and doe, when wounded, are said to run to the dittany plant, which heals them and, in some texts, works the arrow out of the wound, a detail that might explain the insistence in the image on the arrow and the wound. "Thus good preachers," a text from the end of the twelfth century opines, "wounded by sin, run in confession to Christ, and they are quickly healed ... as dittany draws the weapon from the wound and heals the wound, so Christ, through confession, ejects the devil and pardons the sin."<sup>58</sup> There is perhaps a connection once again with the *Moralia in Job*, in which Gregory writes that teachers may be

<sup>55</sup> Clark, *The Medieval Book of Birds*, 205.

<sup>56</sup> The possible means of transmission of these ideas need to be studied further, because of the proximity of dates. Hugh also discusses the symbolism of the palm and Jerusalem, a possible connection to the significant literature addressing Berlanga's palm imagery. See Poza, "San Baudelio de Berlanga," especially 6 as well as María Elena Sainz Magaña, "Arte y religiosidad en torno a San Baudelio," in *Cuando las horas primeras. En el Milenario de la Batalla de Calatañazor*, ed. Carlos de la Casa Martínez and Yolanda Martínez (Soria: Universidad Internacional Alfonso VIII, 2004), 215–24, and de Ávila, "San Baudelio de Berlanga," 333–95. More recently, Guardia, *San Baudelio de Berlanga*, 352–53.

<sup>57</sup> The deer's connection with the tree is now somewhat obscured by damage incurred when the painting was removed from the church. Most of the tree is now part of the painting of the hare hunter. Both are now located in the Museo del Prado in Madrid.

<sup>58</sup> Clark, *A Medieval Book of Beasts*, 136–37 and note 100.



understood as deer.<sup>59</sup> The specific images to which one might turn date from a century later than San Baudelio (Fig. 16), but they do help to construct a circumstantial case for a meaning that metaphorically connects the deer hunter at Berlanga with the responsibilities of monastic teachers—a clear priority of the Berlanga program.

It seems possible that the bold, uncommon imagery of the lower church was part of an attempt to capture a new and erudite discourse that would have had a specific meaning for San Baudelio's clerical audience. The textual connections to monastic life echoed in the paintings at Berlanga might be seen as part of a symbolist discourse issuing from the culture of Augustinian reform in the twelfth century, a language of tropological interpretation linked to the personal and spiritual development of the monastic community.<sup>60</sup> But how did these ideas come to the Transduero during the first third of the twelfth century?

San Baudelio, as we see it today, had initially been founded and constructed under the authority of the bishopric of Osma, though its immediate patronage, and the extent of the bishopric's involvement, remains a mystery. Osma's bishops of the later eleventh and early twelfth century—Bernard of Toledo, and subsequently Peter of Osma—were both affiliated with Cluny, but San Baudelio's paintings were made three or four decades later, in a moment in which its bishopric was undergoing Augustinian reform, under Bishop Bertrán.<sup>61</sup> Hugh of Fouilloy himself was an Augustinian, and the intellectual tradition of which we find echoes in San Baudelio's paintings might have flowed between bishoprics, across the Pyrenees, with the project of reform, aided by relations between Osma and France that had been strong since the time of Osma's revival in 1101.

However, these connections would still not account for the particular visual language in which San Baudelio's hunters and warriors are painted. The expression of this novel, northern symbolic content required the creation of a new lexicon of imagery, one that at San Baudelio was necessarily eclectic. It included local forms at a remarkably large scale. The falconer,

<sup>59</sup> Gregory, in the *Moralia*, says that teachers can be understood as deer (X, 37). There are also possible positive interpretations for the bear, but these, to my knowledge, do not figure in the literature of monastic allegory. Isidore of Seville, *Etymologies*, Book 12, 2:22.

<sup>60</sup> Chenu, "The Symbolist Mentality," 121. At the heart of this habit of thinking was "Augustinian symbolism," a "concept of simultaneous multiple meanings" which became a model for the twelfth century (121). Saint Gregory was seen as its most august practitioner, in his *Moralia in Job* (122).

<sup>61</sup> Teófilo Portillo Capilla, "La regla," 226.

elephant, and textiles adhere typologically to Umayyad or Taifa iconographical models, and they thus provocatively straddle both sides of a semiotic field informed by text and history. A quest for the iconology of these images leads us, then, further into the labyrinth of patronage and affiliation at San Baudelio.

## WAR AND PEACE IN THE DUERO BASIN

The renovation of San Baudelio de Berlanga took place in a world full of discord and change. With the death of Alfonso VI had come the marriage of his daughter Urraca (1109–1126) with Alfonso I of Aragon (1104–1134), a spectacular failure marked by relentless war, and dizzyingly shifting alliances. What this meant for the lands clinging to the southeastern Duero basin, where San Baudelio lay, was that they would constitute a kind of triple frontier. Though they had been folded into León-Castile by Alfonso VI, they were still vulnerable to Taifa raids, and yet they were also part of a far more volatile frontier between León-Castile and a rapidly expanding Aragonese Kingdom. The year 1112 initiated a period of particularly bitter warfare between Aragon and León-Castile in the Duero basin, during which Alfonso of Aragon imprisoned Bishop Raymond of Osma, and sacked Osma's episcopal lands.<sup>62</sup> This violence against a bishop and his bishopric was a clear indication of Raymond's alliance with Urraca, and it could have had an impact on San Baudelio.<sup>63</sup> By February of 1113, Bishop Raymond was back in the royal entourage, confirming a donation of the queen.<sup>64</sup> Osma undoubtedly also felt the pressure when stragglers from the Taifa of Zaragoza briefly took the town of Berlanga in 1113. Urraca arrived in the company of Archbishop Bernard of Toledo to relieve the town only to find the besiegers gone,<sup>65</sup> but the

<sup>62</sup> *Historia Compostellana*, 20:116 and 141; Loperráez Corvalán, *Descripción histórica* 1, 97–8; José María Lacarra de Miguel, “Semblanza de Alfonso El Batallador,” in José María Lacarra de Miguel, *Estudios Dedicados a Aragón* (Zaragoza: Universidad de Zaragoza, 1987), 180.

<sup>63</sup> Clemente Sáenz Ridruejo, “Soria durante la reconquista,” in *Historia de Soria*, ed. José Antonio Pérez Rioja (Soria: Centro de Estudios Sorianos, 1985), vol. 2, 238; Bernard Reilly, *The Kingdom of León-Castilla under Queen Urraca (1109–1126)* (Princeton: Princeton University Press, 1982), 81.

<sup>64</sup> Loperráez Corvalán, *Descripción histórica* 1, 98.

<sup>65</sup> *Historia Compostellana*, I, xc, ed. and trans. Emma Falque Rey (Turnhout: Brepols, 1988); José Ángel Lema Pueyo, *Alfonso I el Batallador, rey de Aragón y Pamplona*

image, as Guardia points out, is one of a place with a minimal military garrison, to which we might add, a bishopric devastated by recent Aragonese attacks.<sup>66</sup>

At the death of Urraca in 1126, her son Alfonso VII concluded the Peace of Tamara with his stepfather, and Berlanga likely fell from 1128 until 1133 or 1134 under an Aragonese lord, Fortunio Aznárez.<sup>67</sup> Guardia identifies Aznárez as the patron of San Baudelio's renovation, seeing his exploits as the subject of the lower paintings.<sup>68</sup> Aznárez is indeed an interesting candidate for the patronage of the monastery's renovation; however, I hope to complicate the interpretation of the lower paintings a bit more.

### RESTORATIONS

At the site of the multiple frontiers of the eastern Duero, memories of sacked episcopates and imprisoned bishops must at times have reigned as forcefully as those of Taifa raids.<sup>69</sup> The new Romanesque cathedral of Osma, begun under its Bishop Peter (1101–1109), could not be completed in the tumultuous reign of Bishop Raymond (1109–1125) for obvious reasons. This task would fall to Bertrán (1126–1140) as the culmination of the work of implementing revival and reform in the diocese of

(1104–1134) (Gijón: Ediciones Trea, 2008), 306; Reilly, *The Kingdom of León-Castilla*, 93–94.

<sup>66</sup> Guardia, *San Baudelio de Berlanga*, 126.

<sup>67</sup> The place of Berlanga in Tamara is not clearly stipulated, but the existence of Fortunio Aznárez as lord of Berlanga, together with Alfonso I's clear sovereignty as far as San Esteban de Gormaz suggests that Berlanga (and thus San Baudelio) fell under Aragonese dominion between about 1129 and 1134, though it was probably not securely held much before. Lema Pueyo, *Alfonso I el Batallador*, 303–4; Antonio Ubieto Arteta, *Historia de Aragón: La formación territorial* (Zaragoza: Anubar, 1981), 181–84. Alfonso of Aragon himself did not return to the Duero after 1128, and Aznárez was a regular in his king's entourage during those years. See Guardia, *San Baudelio de Berlanga*, 437–38.

<sup>68</sup> Guardia, "Fortunio Aznárez en Berlanga," 68–77 and 75–6.

<sup>69</sup> Alfonso I's sacking of lands belonging to Osma after the breakdown of the matrimonial alliance was harsh, perhaps due to the pretensions of members of the family of Gonzalo Núñez, who had held the tenancy of Osma. Rodrigo Jiménez de Rada, "De Rebus Hispaniae," in *Opera*, 1, ed. María Desamparados Cabanes Pecourt (Valencia: Anubar, 1968), 145–46; Simon Doubleday, *The Lara Family: Crown and Nobility in Medieval Spain* (Cambridge: Harvard University Press, 2001), 21; Reilly, *The Kingdom of León-Castilla under King Alfonso VI*, 356.



Osma.<sup>70</sup> By 1131, the canons of Osma were in the process of accepting, as was perfunctory for many Iberian chapters of this moment, the rule of Saint Augustine, but they were having difficulty completing the work of their new cathedral. This was the subject of a petition of 1130 by Raymond—the former bishop of Osma and since 1125 archbishop of Toledo—to Pope Innocent II, on behalf of Osma’s new bishop, Bertrán.<sup>71</sup> Raymond, who knew the diocese of Osma very well indeed, had urged that Osma was in financial distress, in part because the villages of the diocese could not be expected to contribute to the construction of the new cathedral as they had been so “reduced and destroyed” by recent aggressions that they could barely maintain their own diminished churches if at all. The pope supported the cathedral and its canons in a bull that refers, not only to the long period in which the diocese was “a widow” of the divine cult before its restoration by Bernard of Toledo, but also to “many and various misfortunes” in more recent times.<sup>72</sup>

These allusions refer to the entire diocese of Osma, and could possibly allude to monastic institutions like San Baudelio; but in the end we know very little about San Baudelio’s foundation, its renovation, or even its monastic identity. We know, for example, that the town of Berlanga was besieged by Muslim forces from Zaragoza in 1113, but we do not know if they reached the monastery of San Baudelio, nine kilometers away, or if the community was there at all—if it had persisted throughout these complex and entangled wars, or fled for a time. And so we cannot tell if San Baudelio’s restoration and its paintings of around 1130 marked the monastery’s repopulation, or only its rehabilitation. And we cannot, more importantly, say what kind of community lived at San Baudelio, either before or after the hostilities that had torn at the fabric of the Duero lands for nearly two decades. Osma originally had strong connections with León-Castile’s Cluniac episcopal hierarchy: Bernard of Toledo, who first oversaw Osma; Peter of Osma and Raymond of Osma (later archbishop of Toledo) had all been affiliated with Cluny. If Berlanga was founded under their leadership, its original architecture might well reflect their intervention and liturgical concerns. However, Berlanga does not seem to have

<sup>70</sup> Portillo Capilla, “La regla,” 22.

<sup>71</sup> Portillo Capilla, “La regla,” 229–33.

<sup>72</sup> Loperráz Corvalán, *Descripción histórica*, 103–5; *Colección diplomática citada en la descripción histórica del Obispado de Osma*, Nos. X and XI, 12–13; Portillo Capilla, “La regla,” 232–33 and 238–42.

been a Cluniac house, and we cannot tell if its renovation and painting represented a later monastic reform, either under the auspices of its diocese or a secular patron.

It is worth considering, however, whether the militant and triumphant tone of San Baudelio's painting program is linked, not only with the spiritual struggle of its monks, but also, on another level of signification, with the long political struggles that had been taking place in this part of the Duero basin for over a quarter of a century, struggles far more complex than those imagined in a bi-polar opposition to a fictive Islam. That militant imagery might be seen as having informed the vocation of the monks with an active engagement with the world, connecting their spiritual activities with urgent palpable issues. Perhaps at Berlanga, sacred and secular history are knit together, ordered by the monks' own activities.

A similar kind of allusive use of contemporary reference can be seen in the paintings of San Miguel de Gormaz, a small parochial church about twenty-five kilometers to the west of San Baudelio, constructed on the vertiginous slope of the plateau from which the grand fortress of Gormaz emanates, commanding the broad plains of the Duero basin. This once-Umayyad fortress, over 390 meters in length, was by now part of Aragon or León-Castile, and the presence of the small church surely became a marker of that new identity, as if the fortress itself were a trophy of war and the tiny church, a David to its Goliath. Of course, the community around Gormaz had seen countless changes in hegemony in the previous century: Umayyad, Castilian-Leonese, Taifa, or Aragonese, and this political fluidity was likely echoed in a rich demographic, cultural, and confessional mix. But the siting and painting program of the little church were nevertheless conceived to support a stridently polarized ideology that projected the tattered, fragmented political identities of this world onto a mythic struggle against an Islam cosmicly conceived.

The paintings of the parochial church of San Miguel, which were executed by the same workshop as Berlanga's, also interweave divine and contemporary history, though in a more legible mode intended for its broader audience.<sup>73</sup> A biblical battle painted on the north wall is identified by Isidro Bango as the battle of Gog and Magog as interpreted by Saint Augustine in *The City of God*.<sup>74</sup> The subject, painted over the north nave

<sup>73</sup> Poza, "San Baudelio de Berlanga," 16, points out that the iconography is more popular in nature.

<sup>74</sup> Bango Torviso, "El protagonismo de Soria," 107–9.

arcade, faced the congregation entering from the principle, southern entrance: two armies of mounted horsemen meet at the composition's center, enframed by monumental battlements, a sentry blowing a horn on one side, and a curiously monumental and contemporary crossbowman on the other. "Influenced by apocalyptic texts," Bango affirms, "this confrontation between the two cities will without any doubt last until the end of times, when the triumph of the City of God over the earthly will occur."<sup>75</sup> The Duero basin might also be seen as one of those continuous confrontations, waiting for and at the same time reflecting the end of times, and the paintings of San Miguel de Gormaz depict that reciprocal vision. The church, which by its presence bears witness to the conversion of the fortress of Gormaz, concretizes its own place between sacred, cosmic, and current history, echoing the multiple meanings of its paintings. Diverse local populations and struggles with Castilian-Leonese or Aragonese forces are masked, and political violence is reimagined, evangelized.

#### BERLANGA AND OSMA

The paintings of San Miguel addressed a parochial audience. At San Baudelio, however, the erudite—even arcane—intellectual underpinnings of the monastic program of the lower paintings are likely to have derived from the intellectual guidance of its bishopric. Guardia proposes that the Christological cycle of the two superior levels must have been conceived under the eye of an episcopal "ideador" from Osma, though she sees the lower paintings as an expression of the values of a secular patron.<sup>76</sup> I think this intellectual connection with Osma is possible for both cycles and, though there is no documentation for such an intervention, the monastery's subsequent history offers us clues to Osma's investment in San Baudelio in the years just following its renovation.

The headwaters of the Duero had devolved to Alfonso VII at Alfonso I's death in 1134. In 1135 the young king quickly took hold of Soria, and commenced reshuffling ecclesiastical authorities and benefices in a bid to secure fealty.<sup>77</sup> Thus began a long dispute that would draw Berlanga, and

<sup>75</sup> Author's translation. Bango Torviso, "El protagonismo de Soria," 109.

<sup>76</sup> Guardia, *San Baudelio de Berlanga*, 433.

<sup>77</sup> Ubieto Arteta, *Historia de Aragón*, 211; Bernabé Bartolomé Martínez, "Restauración y configuración de la diócesis (siglos VIII-XV)," in Bernabé Bartolomé Martínez et al., *Historia de las diócesis españolas*, 20, *Iglesias de Burgos, Osma-Soria y Santander* (Madrid: Biblioteca de Autores Cristianos, 2004), 335–80.



**Fig. 17a** Hunting Figures, palace of al-Ma'mun: south face of reconstructed arcade. Museo de Santa Cruz, Toledo. Photo: Author, with thanks to the Museo de Santa Cruz



**Fig. 17b** Cosmic Figures, palace of al-Ma'mun: north face of reconstructed arcade. Museo de Santa Cruz, Toledo. Photo: Author, with thanks to the Museo de Santa Cruz

San Baudelio, into the fray. The young king, and subsequently the Council of Burgos of 1136, granted Osma authority over Soria but commanded that a number of minor sites be relinquished to Sigüenza: among these Ayllón, Aguilera, and Caracena together with “Berlanga cum omnibus terminis suis et cum monasterio Sancti Bauduli.”<sup>78</sup> The canons of Osma, despite gaining Soria (the real plum in the dispute), protested vociferously the loss of Berlanga and the other possessions. Papal complaints document Osma’s refusal to relinquish the sites in 1139, 1146, 1155 and in 1163, in a document that specifically laments the failure of the bishop of Osma to return the villas of Ayllón, Caracena, and Berlanga. These sites, in turn, were placed under interdict for resisting the authority of Sigüenza, to whom they ought to have been subject since 1136.<sup>79</sup> The duration of the dispute, and the apparent complicity of the sites themselves in resisting their estrangement from Osma, suggests a strong connection, not only with the community of Berlanga, but also with the tiny monastery of San Baudelio.

### OSMA AND TOLEDO

Through its connections with Osma, San Baudelio was also linked to its bishopric’s remarkable history. During the years that preceded the death of Alfonso of Aragon, the bishops of Osma, insecure on that violent frontier, had sought shelter through their relationship with the crown of León-Castile, and had prospered. At Bernard of Toledo’s death, it was a bishop of Osma who went to Toledo to take up the mantle of archbishop. And Osma’s new bishop would be Bertrán, yet another archdeacon of Bernard, who traveled north from Toledo as Raymond passed him on his road south to take the archiepiscopal throne in the great, storied city.

This intimacy with Toledo also marked closeness of Osma’s episcopal leaders with the crown. Alfonso VI had taken Toledo in 1085 from the Dhunnunid dynasty, the Taifa that had been his feudal client. His

<sup>78</sup> Toribio Minguella y Arnedo, *Historia de la Diócesis de Sigüenza y sus Obispos*, I (Madrid: Revista de Archivos Bibliotecas y Museos, 1910), 358, 359, 362, and 378; José Manuel Garrido Garrido, *Documentación de la Catedral de Burgos (804–1183)* 13 (Burgos: Ediciones J.M. Garrido Garrido, 1983), 208.

<sup>79</sup> Minguella y Arnedo, *Historia*, 401–16 and notes 55–56; Reglero de la Fuente, “El obispado de Osma,” 191–96.

grandson, Alfonso Raimúndez, who would become Alfonso VII, ruled an appanage from Toledo before taking the throne, and there fell under the influence of Bernard of Toledo, thought by some to have been de facto ruler of the young prince's realm.<sup>80</sup> Among Alfonso's seats was the Dhunnunid palace his grandfather had appropriated, known as the palace of al-Ma'mun, legendary for its gardens and pavilions and for the opulent entertainments that had once showcased Toledo's Taifa rulers.<sup>81</sup> We have now come to know the extraordinary stucco and glass decoration of one reconstructed arcade from the palace, revelatory for us above all because of its figural program in painted stucco relief.<sup>82</sup> Confronting one another heraldically on the south face of the arcade are mounted falconers, surrounded by hunting animals and deer beset by eagles; and on the other face, winged sphinxes straddle the central arch against a background of harpies and marauding lions (Figs. 17a and 17b). I wonder if the language in which our falconer embodies an active, lordly life at San Baudelio is not an echo of a transforming visual lexicon for the Castilians, one embodied by the imagery of this Dhunnunid palace that for a generation had already been possessed by the kingdom of León-Castile. Not the falconer as a visual type (Berlanga's falconer is actually closer to Umayyad textiles and ivories than to the Toledo palace reliefs, which seem to draw from more dynamic Fatimid prototypes), but the falconer as part of a program infused with the violence and power of the hunt as a metaphor for possession and conquest, both martial and other-worldly. And perhaps Berlanga's ceiling,

<sup>80</sup> Bernard Reilly, *The Kingdom of León-Castilla Under King Alfonso VII, 1126–1157* (Philadelphia: University of Pennsylvania Press, 1998), 11–12.

<sup>81</sup> Susana Calvo, "El arte de los reinos taifas: tradición y ruptura," *Anales de Historia del Arte* Vol. Extra (2): Alfonso VI y el arte de su época (2011): 69–92; "La capilla de Belén del Convento de Santa Fe de Toledo: ¿un oratorio islámico?" *Madridier Mitteilungen* 43 (2002): 353–75. Ibn Bassam complained of the destruction of the palaces by Alfonso, and their use as a "toy for barbarians for contamination," and as a stable for horses (quoted in Clara Delgado Valero, *Toledo Islámico. Ciudad, arte e historia* [Toledo: Caja de Ahorro de Toledo, 1987], 251). The palaces were, however, extensive, and sections survived to be donated to religious and military organizations in the mid-twelfth and thirteenth centuries. I am indebted to Víctor Rabasco García for acquainting me with this source.

<sup>82</sup> Fabiola Monzón Moya and Concepción Martín Morales, "El antiguo convento de Santa Fe de Toledo," *Bienes culturales: revista del Instituto del Patrimonio Histórico Español* 6 (2006): 53–76; Fabiola Monzón Moya, "El antiguo convento de Santa Fe: la desmembración del aula regula islámica y su transformación en un cenobio cristiano," in *La ciudad medieval: de la casa principal al palacio urbano* (Toledo: Consejería de Educación, Ciencia y Cultura, 2011), 241–76.

with its astral and mythological figures, might be seen as something like the discourse on the north face of the arch in Toledo, with its winged sphinxes and harpies. Both monuments reveal two worlds, celestial and earthly: above and below at Berlanga, or the north and south—inside and out—of the Taifa palace arcade.

Images like the falconer at Berlanga, its eagles or elephant and howdah, are not only a selection of motifs: they also encode a common iconography of sovereignty, a language by this time absorbed into Castilian and Leonese identity, and one to which the bishops of Osma had a privileged access. Those who conceived the paintings at Berlanga did not draw on Umayyad images as representations of an exotic other; they drew on them instead as part of their own visual lexicon of forms and meanings, part of their own expanding identity. The idea of an interior vibrating with hunters and beasts might be seen to have entered the Leonese and Castilian programmatic imagination with the same ease and entitlement that Alfonso VI and his grandson entered the once Dhunnunid palace in Toledo.

San Baudelio's direct patronage is unknown to us, but I believe that the intervention of Osma in the paintings of Berlanga would not preclude Aragonese patronage, or indeed any other kind of secular patronage.<sup>83</sup> The iconology of Berlanga is as complex as identity was in the early twelfth-century Duero basin. Some of its layered messages are timeless, canonical; some appeal to shifting political alliances and to transforming subconscious identities; and some excite a sense of urgency because they allude to events that are palpable and current to the audience they are meant to address.

Among those on the Duero who could wield so many metaphorical languages could well have been those denizens of the revolving door between the archbishopric of Toledo and the bishopric of Osma. I think we might consider that their intimacy with the program in Toledo could be seen as influential in inflecting a sophisticated clerical program at Berlanga, not with blindly copied models, but with shared meanings that had made their way into the Castilian-Leonese visual lexicon. These might be seen as images of an expanding language, evolving to express some of the bravado surrounding Osma's and Berlanga's rise after the recent violent history of the Duero and its bishopric, as well as some of the prestige

<sup>83</sup> Guardia, *San Baudelio de Berlanga*, 433. Guardia limits the intervention at Osma to the Christological cycle.



of their alliance with Toledo and the monarchy. And then, a diverse local population, the proximity of a grand fortress at Gormaz, and the liminal identity of objects traded, received in tribute, as booty, or even locally manufactured, would also have eaten away at the ideological polarization of such imagery in the Duero basin, even before it had become part of a Castilian and Leonese language of forms in Toledo.<sup>84</sup> Sacred history was choreographed and intertwined with contemporary history, the lives of the monks reflecting back the place of man within a divine plan, and yet also yielding to a richer, more textured identity than divine plans usually set out to do. And so even programs coded for confessional polarity are saturated with transformed identities and shared values.

The varied languages of the paintings of San Baudelio were born of the fluidity of peoples and polities; epistemological doors forced open by abrupt and violent shifts in political and territorial ground, and the resulting connections with ideas from both south and north of an expansive, receptive frontier. Berlanga's documentation is so sparse that it is difficult to know exactly how all of these pieces fit together, how the different protagonists intervened in this small but enormously evocative project of renewal on a shattered frontier. I hope, however, that the search for the meanings of San Baudelio de Berlanga will continue, for perhaps more than any other building surviving from this time, it bears precious testimony to a gloriously dynamic and messy art; to a rich, complex, and constantly transforming identity that encourages us, in turn, to write a more textured and dynamic history of Romanesque on the Iberian Peninsula.

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<sup>84</sup>David Jacoby, "The Production and Diffusion of Andalusí Silk and Silk Textiles, Mid-Eighth to Mid-Thirteenth Centuries," in *The Chasuble of Thomas Becket*, 145 discusses *tiraz* workers employed in León.



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# Seeing the Substance: Rhetorical Muslims and Christian Holy Objects in the Thirteenth and Fourteenth Centuries

*Ryan Szpiech*

Between 1365 and 1373, an altarpiece dedicated to the Virgin was painted in the monastery of Santa María de Sigena, near the northern Aragonese city of Huesca (Fig. 1). Among its rich images from the lives of Mary and Jesus are various miraculous scenes involving the Eucharist. Two of these depict the so-called Miracle of the Bees and the Miracle of the Fisherman, both common eucharistic miracle stories in the thirteenth and fourteenth centuries. A third image, more violent but also familiar in contemporary iconography, depicts a Jew who stabs a host, causing it to bleed, and then casts it in a boiling cauldron, where it is transformed into a haloed child, apparently unharmed. A fourth image, however, is more unexpected and

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striking: a woman resembling the wife of the Jew from the previous panel consults with a black-skinned man wearing a white turban and golden cape, while in the background a child with open eyes prays in a casket. As the woman kneels for communion, the host seems to emerge from her throat rather than be swallowed, cutting a bloody wound (Fig. 2). As Paulino Rodríguez Barral and Yonatan Glazer-Eytan have suggested, the meaning of this final cryptic image cycle is suggested by a story told in the fifteenth-century work *Spill* (*The Mirror*, ca. 1460) by Valencian author Jaume Roig. In that work, Roig recounts a tale about a Muslim cleric (*alfaquí*) who agrees to make a love potion for a woman out of a stolen Eucharist. When she delivers the host to him, it miraculously takes the shape of a glowing child, which the cleric casts away and instructs her to burn. When it resists destruction and fire, the Muslim promises to convert. The two confess to the bishop, who holds a large vigil and mass, in which the child regains the shape of a host.<sup>1</sup> Although the image and the story seem independent of one another, both tell a similar tale, which may have circulated as a popular legend in fourteenth-century Aragon.

Just as work on the Sigena altarpiece was beginning, an elaborate series of frescos depicting eucharistic miracles was being completed in the cathedral of the Umbrian town of Orvieto. The cathedral's Cappella del Corporale (Chapel of the Corporal), commissioned in the 1350s in preparation for the anniversary of the 1263 eucharistic miracle that allegedly

<sup>1</sup> I am grateful to Yonatan Glazer-Eytan and Robin Vose for their helpful suggestions during the drafting of this essay; to David M. Freidenreich for bringing the Beam of the Passion to my attention; to Catherine Harding and Lucio Riccetti for helping me obtain the image from the Capella del Corporale; and to the Opera del Duomo di Orvieto for permission to reproduce the image.

The relevant passage in the *Spill* is found in Jaume Roig, *Espill, o Llibre de les dones*, ed. Marina Gustà (Barcelona: Edicions 62, 1978), 72–75. On the comparison with the Sigena altarpiece, see Paulino Rodríguez Barral, *La imagen del judío en la España medieval: el conflicto entre cristianismo y judaísmo en las artes visuales góticas* (Bellaterra: Universitat Autònoma de Barcelona, 2008), 200–01. The connection is also discussed in more detail in Yonatan Glazer-Eytan, “Moriscos as Enemies of the Eucharist: Some Reflections on Jewish Exceptionalism,” *Jewish History* (forthcoming in 2021), which analyzes the altarpiece in detail. I am grateful to Dr. Glazer-Eytan for sharing a copy of his study with me before publication. My remarks on the Sigena altarpiece rely directly on his work. See also his “Jews Imagined and Real: Representing and Prosecuting Host Profanation in Late Medieval Aragon,” in *Jews and Muslims Made Visible in Christian Iberia and Beyond*, ed. Borja Franco Llopis and Antonio Urquía Herrero (Leiden: Brill, 2019), 40–69, at 50–51; and Francesca Español Bertrán, “Ecos del sentimiento antimusulmán en el *Spill* de Jaume Roig,” *Sharq al-Andalus* 10–11 (1993–1994): 325–45.





Fig. 1 Jaume Serra, altarpiece of the Virgin (ca. 1365–730)

took place in the nearby village of Bolsena, depicts how the host began to bleed during mass, staining the corporal (the altar cloth on which the host and wine are set).<sup>2</sup> In later legend, and certainly by the time the frescos were painted, it was claimed that this miracle was a decisive factor prompting Pope Urban IV to institute the feast of Corpus Christi in 1264, although the earliest contemporary sources do not substantiate this causal

<sup>2</sup>For an exhaustive study of the miracle and frescos in Orvieto, see Dominique Nicole Surh, “Corpus Christi and the *Capella del Corporale* at Orvieto” (Ph.D. Diss., University of Virginia, 2000); and Eraldo Rosatelli, *The Cathedral of Orvieto: Faith, Art, Literature* (Perugia: Quattroemme, 2000), 75–92.





Fig. 2 Jaume Serra, altarpiece of the Virgin (detail)

link.<sup>3</sup> Among the abundant scenes of eucharistic miracles in the Chapel of the Corporal that accompany the bleeding host of Bolsena (including another version of the Miracle of the Fisherman), one represents the popular story of a Jewish boy who was thrown into an oven by his father as punishment for consuming the host. In this three-panel image, the boy is miraculously saved from the oven by the host's power, while the stiff-necked father is thrown into the oven to perish in his son's place.<sup>4</sup> Below this, another scene depicts the capture of Christian soldiers by a Muslim army. The "Saracen" king offers to free the Christians if they will show him, as the inscription reads, "how the Body of Christ is made from bread."<sup>5</sup> A priest among the captives then celebrates mass, during which the Saracens see a child instead of the raised host, providing the requested miracle and prompting their conversion (Fig. 3). As Kristen Van Ausdall

<sup>3</sup> Surh, "Corpus Christi," 7, 19–20. The oldest source, the so-called *sacra rappresentazione*, probably composed sometime between 1294 and 1317, does not mention Urban IV. See Surh, "Corpus Christi," 16, 20; and Miri Rubin, *Corpus Christi: The Eucharist in Late Medieval Culture* (Cambridge: Cambridge University Press, 1991), 176.

<sup>4</sup> Dana A. Katz, *The Jew in the Art of the Italian Renaissance* (Philadelphia: University of Pennsylvania Press, 2008), 31.

<sup>5</sup> For the inscriptions, see Surh, "Corpus Christi," 136–37. The term "Saracen" is used in this essay as a reflection of the primary source material and is not offered as a neutral alternative to "Muslim."



Fig. 3 Orvieto Cathedral fresco (Cappella del Corporale), detail (ca. 1357–64).  
© Opera del Duomo di Orvieto

argues, this sequence, like all of the Corporal chapel images, is “meant to answer any doubt about the true presence of Christ in the Eucharist” that was experienced by Christian worshippers.<sup>6</sup> The depiction of the Saracen conversion miracle in particular, just below the image of the murderous

<sup>6</sup> Kristen Van Ausdall, “Art and Eucharist in the Late Middle Ages,” in *A Companion to the Eucharist in the Middle Ages*, ed. Ian Christopher Levy, Gary Macy, and Kristen Van Ausdall (Leiden: Brill, 2012), 541–618 at 591. Peter Browe gives voice to the standardly accepted view that eucharistic miracles served to address doubts that arose around the doctrine of Transubstantiation. See Peter Browe, *Die eucharistischen Wunder des Mittelalters* (Breslau: Müller and Seiffert, 1938), 177–84. More recently, scholars have proposed that miracle stories serve to encourage contemplation and “explain rather than resist” the difficulties of understanding that give rise to doubt. See Steven Justice, “Eucharistic Miracle and Eucharistic Doubt,” *Journal of Medieval and Early Modern Studies* 42 (2012): 308–32 at 316.

Jewish father, “emphasizes the miraculous power of the Eucharist to convert those, like the Jews, who had been specifically demonized.”<sup>7</sup>

Both of these examples reflect the intensification of popular devotion to eucharistic miracles that took place in the fourteenth century as the feast of Corpus Christi, slow to gain popularity after Urban IV’s declaration in 1264, became more widely celebrated as a procession through the advocacy of Pope John XXII (1316–1334).<sup>8</sup> Both monuments represent common eucharistic miracles involving Jewish antagonism and disbelief. Yet both also include less common elements, such as the depiction of Muslim reactions to the host, a theme that had been largely absent from western iconography before the celebration of Corpus Christi became widespread. Both the theme of Muslim desecration of the host, as in the Sigena altarpiece, and that of Muslim recognition of a eucharistic miracle, as in the Orvieto frescos, reflect a changing discourse about Muslim-Christian relations that emerged in western Christendom between the second half of the thirteenth century and the middle of the fourteenth. Nevertheless, as Glazer-Eytan notes, historians “tend to gloss over the existence of accusations of host desecration leveled against non-Jews.”<sup>9</sup> While many studies of this period have concentrated on the role of eucharistic devotion in anti-Jewish thought, the place of Muslims in eucharistic miracles has been largely overlooked.

The goal of this paper is to consider a few examples of Christian representations of Muslims in relation to Christian holy objects such as the Eucharist that emerged in the century following the declaration of Corpus Christi. I take as a starting point Glazer-Eytan’s observation that Christians regularly grouped and even conflated Jews and Muslims in polemical and artistic representations, and that images connecting Muslims to the host must be understood in this light. However, while he has traced the influence of medieval examples into the fifteenth and sixteenth centuries, this essay will consider the association of Muslims and the Eucharist in an earlier period, from the mid-thirteenth to the late fourteenth century. Focusing on Iberia in the wake of Christian military victories over significant areas of Muslim territory in the south of the peninsula, it will look at a few textual examples from both Castile and Aragon, including the devotional songs of King Alfonso X (1252–1284), the *Cantigas de Santa*

<sup>7</sup> Van Ausdall, “Art and Eucharist,” 591.

<sup>8</sup> Rubin, *Corpus Christi*, 178–85.

<sup>9</sup> Glazer-Eytan, “Moriscos as Enemies.”

*María*, as well as some legal and historiographical works from Alfonso's court that shed light on those songs; the anti-Jewish polemical writing of Alfonso's Catalan contemporary, Dominican Ramon Martí (d. after 1287); and a chapter of the frame-tale collection *El Conde Lucanor* by Alfonso's nephew, don Juan Manuel (d. 1348), recounting a unique story of Muslim host desecration.

As in the examples cited by Glazer-Eytan, the association of Muslims with the Eucharist in both Iberian regions can be understood as a product of Christian ideas about Jews.<sup>10</sup> In the thirteenth and fourteenth centuries, however, Jews and Muslims were not only conflated as a single legal or theological category, but also, at times, compared with each other from a Christian perspective. I will argue here that in the century after the Christian conquest, the linking of Muslims and Jews in Christian discourse displays a marked ambivalence, sometimes condemning Muslims for representing a military threat and being in league with Jewish crimes, sometimes singling them out for their ability to recognize the holiness of Christian objects and reconsider their past infidelity. This ambivalence about Muslims stands in contrast to accusations of Jewish host desecration and ritual murder and uniformly negative depictions of Jewish intransigence, blindness, and malevolence. Thus Saracens sometime served in Christian texts as counterexamples to Jewish infidelity, offering affirmation of Christian mysteries through their capacity to witness and testify to the presence of Jesus.

### SARACEN PLUNDERING AND JEWISH HOST DESECRATION

Both the Orvieto frescos and the Sigena altarpiece conjure the image of a Muslim as a threat to Christians, either through military power or through disregard for the sanctity of Christian rites and objects, above all, the Eucharist. Although the particular image of Muslims as desecrators of the host was virtually non-existent in western Christian culture before the fourteenth century, their depiction as threats to Christian churches and the other holy objects contained therein was common. Sources from earlier centuries that describe frontier conflicts, both in the conquest of Muslim Iberia and in the eastern crusades, often cast Muslims as defilers of altars and robbers of Christian religious objects. For example, in a history about the First Crusade, the *Historia francorum qui ceperint Jerusalem*

<sup>10</sup> Glazer-Eytan, "Moriscos as Enemies."

(ca. 1101) by Raymond d'Aguilers, canon in Le Puy (Auvergne), Saracens ridicule Christian penitents and subject crucifixes to "lashes and insults," putting them "on yokes on top of the walls."<sup>11</sup> Similarly, in the *Historia Hierosolymitana* from only a few years later, Robert the Monk (who can probably be identified as Abbot Robert of St-Rémi, in Rheims, d. 1122) claims that Saracens smeared blood from circumcisions on baptismal fonts and altars.<sup>12</sup> As John Tolan has observed, such crusade chronicles detailing Muslim spoliation presented "a striking parallel to the accusations made against Jews in the later Middle Ages: that they torture and mutilate crucifixes, icons, the Eucharist, or even Christian children; the Jews are accused of ritually reenacting the Passion."<sup>13</sup>

This parallel sees a spiritual animosity in the material plunder that accompanied military conflicts. One of the best-known cases of spoliation of Christian objects by Muslims in Iberia was the alleged looting of the bells of the cathedral of Santiago de Compostela in 997 by Almanzor (al-Manṣūr) (d. 1002), chancellor for the young caliph Hishām II and de facto ruler of the Caliphate of Cordoba. After being converted into lamps to hang in the Great Mosque of Cordoba, they were recaptured and returned to Santiago by Fernando III of Castile in 1236.<sup>14</sup> Descriptions of Almanzor's looting are given in Latin sources from the twelfth century and Arabic sources from the fourteenth,<sup>15</sup> but the specific story of the

<sup>11</sup> Raymond d'Aguilers, *Le "Liber" de Raymond d'Aguilers*, ed. John H. Hill and Laurita L. Hill (Paris: Librairie orientaliste Paul Geuthner, 1969), 145. Cited in John Tolan, *Saracens. Islam in the Medieval European Imagination* (New York: Columbia University Press, 2002), 117. On the text, see Barbara Packard, "Raymond of Aguilers," in *Christian-Muslim Relations: A Bibliographical History*, vol. 4, 1050–1200, ed. David Thomas and Alex Mallett et al. (Leiden: Brill, 2011), 297–300.

<sup>12</sup> See Penny J. Cole, "'O God, the Heathen Have Come into Your Inheritance' (ps. 78.1): The Theme of Religious Pollution in Crusade Documents, 1095–1188," in *Crusades and Muslims in Twelfth-Century Syria*, ed. Maya Shatzmiller (Leiden: Brill, 1993), 84–111 at 95. Cited in Tolan, *Saracens*, 120.

<sup>13</sup> Tolan, *Saracens*, 117.

<sup>14</sup> A few bell-lamps, taken from Iberian churches, still hang in at least two North African mosques. See Ali Asgar Alibhai, "The Reverberations of Santiago's Bells in Reconquista Spain," *La Corónica* 36.2 (2008): 145–64, at 158; Jerrilynn D. Dodds, ed., *Al-Andalus: The Art of Islamic Spain* (New York: Metropolitan Museum of Art, 1992), 18, 272–73; Olivia Remie Constable "Regulating Religious Noise: The Council of Vienne, the Mosque Call, and Muslim Pilgrimage in the Late Medieval Mediterranean World," *Medieval Encounters* 16 (2010): 64–95 at 94.

<sup>15</sup> For example, the twelfth-century *Historia Turpini*, book four of the *Codex Calixtinus*, as well as *Al-Bayan al-Mughrib* by early fourteenth-century Maghribi historian Ibn Idhān.

spoliation and recapture of the bells of Santiago is recounted in the vernacular historiographical text *Estoria de España* begun around 1270 by Fernando III's son, Alfonso X. The triumphal account of the restoration of Santiago's bells was added to the *Estoria* a few years after Alfonso's death by his son Sancho IV.<sup>16</sup>

Earlier sections of the *Estoria* composed during Alfonso's reign lament the pillaging of Iberian churches during the Islamic conquest:

The sanctuaries were destroyed, the churches demolished, the places where God was praised with joy [the Muslims] now blasphemed and mistreated. They expelled the crosses and altars from the churches. The chrism, the books, and all those things that were for the honor of Christianity were broken and thrown to ruin ... the vestments and chalices and other vessels of the sanctuaries were put to bad use, sullied by the infidels.<sup>17</sup>

This description is telling of Alfonso's own perspective on Muslim actions in war, and can be compared to descriptions of Muslim looting in Alfonso's monumental collection of lyric songs about miracles of the Virgin Mary, the *Cantigas de Santa María*. Perhaps begun as early as 1264 (coincidentally the same year that the Corpus Christi feast was declared by Urban IV), many of the songs were completed in the 1270s in the wake of military campaigns against Muslim forces.<sup>18</sup> Although none of the fifteen cantigas that deal with eucharistic miracles mention Muslims,

See Alibhai, "The Reverberations of Santiago's Bells," 146–47.

<sup>16</sup> *Primera Crónica General. Estoria de España que mandó componer Alfonso el Sabio y que se continuaba bajo Sancho IV en 1289*, ed. Ramón Menéndez Pidal. 2 vols. (Madrid: Bailly-Bailliere e hijos, 1906), 1:734. This section of the text pertains to the so-called amplified version of 1289 prepared by Sancho IV after Alfonso's death.

<sup>17</sup> Alfonso X, *Primera crónica general*, p. 313. Translation partly in Tolan, *Saracens*, 188, with my changes.

<sup>18</sup> The editor of the text, Walter Mettmann, has proposed that the first 100 cantigas were completed between 1270 and 1274, the next 100 cantigas by 1277, and the remaining 227 by 1282. See *Cantigas de Santa María*, ed. Walter Mettmann, 3 vols. (Madrid: Castalia, 1986–1989), 1:24. Jesús Montoya Martínez maintains that Alfonso probably decided to compile the first hundred cantigas after the year 1264, when he conquered Jerez (as recounted in cantiga 345), although he probably wrote Marian poetry even before this date. See Jesús Montoya Martínez, "Algunas precisiones acerca de las *Cantigas de Santa María*," in *Studies on the Cantigas de Santa María: Art, Music, Poetry. Proceedings of the International Symposium on the Cantigas de Santa María of Alfonso X, el Sabio (1221–1284) in Commemoration of Its 700th Anniversary Year—1981 (New York, November 19–21)*, ed. Israel J. Katz and John E. Keller (Madison: Hispanic Seminary of Medieval Studies, 1987),



numerous other songs depict Muslim armies—in Iberia, North Africa, and Constantinople—attempting to destroy or damage Christian sites of worship.<sup>19</sup> For example, *cantiga* 169 (in which Alfonso speaks in the first person, suggesting he is the author of the text) tells of an old church in Arrixaca, near Murcia, which Alfonso had only recently conquered. Although the Muslim townsmen were granted permission to remove the church because it was in their neighborhood, they were unable, despite their efforts. When they asked the Muslim king to have it removed for them, he refused because “Mariame [Mary] deals severely with those who displease Her.”<sup>20</sup> *Cantiga* 229 describes how a band of Muslims attempted to destroy a church under construction in Villasirga, near Palencia. “The Moors went inside and set about to tear the church down completely and destroy and burn it.” Despite their efforts, they were, like the Muslims in *cantiga* 169, unable to move a stone. The Virgin intervened and made the Muslims blind and paralyzed.<sup>21</sup> Numerous other *cantigas* depict attempts to destroy Christian objects, in particular images or statues of the Virgin Mary. Examples include *cantiga* 99 (Muslims seize a church and attempt to destroy the altar and all the images, but one image is saved by the Virgin),<sup>22</sup> 183 (Muslims throw a statue of the Virgin into the sea, and so lose the ability to catch fish), 264 (Muslims in Constantinople throw an image of the Virgin into the sea, and their ships sink), and 345 (Muslims rebel and burn a statue of the Virgin in Jerez, but Christians retake the city and restore the statue), among others.<sup>23</sup>

367–86 at 377. O’Callaghan, *Alfonso X and the Cantigas de Santa María*, 9, concurs with this date.

<sup>19</sup> *Cantigas* that mention the Eucharist include 4, 66, 69, 75, 104, 128, 149, 208, 222, 225, 234, 237, 238, 251, and 263 (and see note 36 below).

<sup>20</sup> Alfonso X, *Cantigas*, 2:174; an English translation of all of the songs is provided in *Songs of Holy Mary: A Translation of the Cantigas de Santa María*, trans. Kathleen Kulp-Hill (Tempe: Arizona Center for Medieval and Renaissance Studies, 2000), here at 204.

<sup>21</sup> Alfonso X, *Cantigas*, 2:301–02; *Songs of Holy Mary*, 275.

<sup>22</sup> Alfonso X, *Cantigas*, 1:302–03; *Songs of Holy Mary*, 125.

<sup>23</sup> On these and related anecdotes, see Mercedes García-Arenal, “Los moros en las *Cantigas* de Alfonso X el Sabio,” *Al-Qantara: Revista de estudios árabes* 6 (1985): 133–52; Albert Bagby, “The Moslem in the *Cantigas* of Alfonso X, El Sabio,” *Kentucky Romance Quarterly* 20 (1973): 173–204; P. K. Klein, “Moros y judíos en las ‘*Cantigas*’ de Alfonso el Sabio: imágenes de conflictos distintos,” in *Simposio internacional ‘El Legado de al-Andalus’: el arte andalusí en los reinos de León y Castilla durante la edad media*, ed. M. Valdés Fernández (Valladolid: Fundación del Patrimonio Histórico de Castilla y León, 2007), 341–64.



Desecration of Christian objects and spaces was of serious concern to Alfonso, and especially offensive to him was the prospect of desecration that might take place within his own kingdom at the hands of the minority non-Christian population. Alfonso issued legislation to prohibit the abuse or destruction of holy things by residents of his kingdom. In his law code, the *Siete Partidas*, he discusses violence against holy objects, including “spitting on the image of Christ or on the cross, or damaging it with a stone or knife or anything else.”<sup>24</sup> Alfonso is quick to add in the next law that Muslims and Jews in particular are prohibited from similar actions:

We order and forbid all Jews and Moors of our kingdom from being so bold as to insult our lord Jesus Christ ... and his Mother the Virgin Mary ... nor to do anything against them, such as spitting on the cross, or on the altar, or on any picture of Christ that is in the Church, or on the door of it, whether painted or carved, in likeness of our lord Jesus Christ or of holy Mary or of the other male or female saints. Nor shall he be so bold as to damage with his hand or foot or any other thing any of the above-mentioned things, nor throwing stones at the church, nor to do or say anything like this publicly to dishonor Christians or their faith.<sup>25</sup>

These prohibitions, which recommended heavy punishments, along with constant references to similar crimes both past and present, made it clear that the issues of spoliation by Muslims during conquest of Christian lands, and of desecration and defilement by Muslims living in Christian lands (such as during holy processions), were pressing concerns during Alfonso’s reign.

While this concern might be understood partly in the context of the military threat presented by Muslims, it is also necessary to consider it in relation to Alfonso’s broader theological criticism of Jews as antagonists of Christians and desecrators of Christian sacred objects. Some stories of desecration in the *Cantigas*, for example, involve not Muslims but Jews, yet use similar language and description. In cantiga 34, for example, a Jew in Constantinople steals an image of the Virgin at night, throws it into a latrine, and defecates on it. Immediately, “the devil killed him, and he

<sup>24</sup> Partida 7, título 28, ley 5. See *Las siete partidas del Rey Don Alfonso el Sabio*, 3 vols. (Madrid: Imprenta Real, 1807), 3:689.

<sup>25</sup> Partida 7, título 28, ley 6. *Las siete partidas*, 3:690.

went to perdition.”<sup>26</sup> Similarly, Alfonso repeats (cantiga 4) the popular legend of the Jewish boy thrown in the oven for accepting the Eucharist. This story circulated widely, and had already been told in Romance in miracle 16 of the *Milagros de Nuestra Señora* of Gonzalo de Berceo (d. before 1264), composed in La Rioja around 1260. Like the Orvieto frescos, Alfonso’s cantiga 4 specifies that “because of this great miracle, the Jewess came to believe, and the boy received baptism at once. The father, who had done the evil deed in his madness, was put to death.”<sup>27</sup>

Alfonso’s descriptions of Muslim destruction and desecration drew from this tradition of popular anti-Jewish rhetoric, which had proliferated in the twelfth century. A prominent theme in popular stories about Jewish threats to Christian culture was the charge of ritual murder, which accused Jews of stealing and killing Christian children. Such blood libel was made against Jews in England beginning in the middle of the twelfth century, first appearing in the 1150 account by Thomas of Monmouth of the murder of William of Norwich six years before, and reappearing repeatedly over subsequent decades across England and the continent. The first recorded accusation in the Iberian Peninsula that Jews “drink blood” appears in *Disputa entre un cristiano y un judío*, which has been dated to the first half of the thirteenth century.<sup>28</sup> Only a few decades later, Alfonso

<sup>26</sup> *Cantigas*, 1:143; *Songs of Holy Mary*, 45. On the subject of this cantiga in context, see Merrall Llewelyn Price, “Medieval Antisemitism and Excremental Libel,” in *Jews in Medieval Christendom: Slay them Not*, ed. K. T. Utterbach and M. L. Price (Leiden: Brill, 2013), 177–87; Albert I. Bagby, Jr., “The Jew in the *Cántigas* of Alfonso X, El Sabio,” *Speculum* 46 (1971): 670–88 at 676; and Vikki Hatton and Angus Mackay, “Anti-Semitism in the *Cantigas de Santa Maria*,” *Bulletin of Hispanic Studies* 61 (1983): 187–99. The legend of the Jew and the latrine appears across Europe, such as in Geoffrey Chaucer’s “Prioress’ Tale” and the writing of Caesarius von Heisterbach (see note 35, below). See William Cecil McDonald, “The ‘Jew in the Latrine’: Exploring the Transmission of an Early German Anti-Jewish Narrative,” *Medieval Encounters* 27 (2021, forthcoming). On other stories about Jewish desecration that circulated in Europe, see Christoph Cluse, “Stories of Breaking and Taking the Cross: A Possible Context for the Oxford Incident of 1268,” *Revue d’Histoire Ecclésiastique* 90/3 (1995): 396–442. On a fictional tale of such desecration in Jewish literature, see Harvey Hames, “Urinating on the Cross: Christianity as Seen in the *Sefer Yoseph ha-Mekaneh* (ca. 1260) and in Light of Paris 1240,” in *Ritus Infidelium: Miradas interconfesionales sobre las prácticas religiosas en la Edad Media*, ed. José Martínez-Gásquez and John Victor Tolan (Madrid: Casa de Velázquez, 2013): 209–20.

<sup>27</sup> *Cantigas*, 1:66; trans. *Songs of Holy Mary*, 7. See also Miri Rubin, *Gentile Tales: The Narrative Assault on Late Medieval Jews* (New Haven: Yale University Press, 1999), 15–16.

<sup>28</sup> “Dexades de comer las otras sangres et comedes las de uestros fijos” [You gave up eating other bloods and eat that of your children], Américo Castro, “Disputa entre un cristiano y un judío,” *Revista de filología española* 1 (1914): 173–80, at 173 and 176.

expressed in the *Partidas* a fear of Jews “stealing children and putting them on a cross, or making images of wax and crucifying them when children cannot be found.”<sup>29</sup> Alfonso includes such a tale of child murder in *cantiga* 6, in which he describes how a Jew stole a child who offended him by singing the hymn *Gaude Maria virgo*, which is critical of the Jews.<sup>30</sup> Even more germane to Alfonso’s stated concern over Jews “making images of wax” is *cantiga* 12 (also found in miracle 18 of Berceo’s *Milagros*), in which Jews are discovered to have made “an image of Jesus Christ, which the Jews were striking and spitting upon. And furthermore, the Jews had made a cross upon which they intended to hang the image.”<sup>31</sup> Such tales—as well as the later legend of the murder of the boy named Dominguito del Val in Aragon, allegedly in 1250—all seem to be versions of the story of William of Norwich.<sup>32</sup>

Accusations of ritual murder (whether real or symbolic) can be interpreted not only as a general expression of anti-Jewish rhetoric, but also, beginning in the late thirteenth century, as the source of a new rhetoric alleging Jewish hostility to the Eucharist. Christian debate over the question of the divine substance of the Eucharist began in the middle of the eleventh century between Berengar of Tours (d. 1088) and Lanfranc of Bec, archbishop of Canterbury (d. 1089), and intensified in

<sup>29</sup> Partida 7, título 24, ley 2. Alfonso X, *Las siete partidas*, 3:670. See also Dwayne Carpenter, *Alfonso X and the Jews: An Edition of and Commentary on Siete Partidas 7.24 ‘De los judíos’* (Berkeley: University of California Press, 1986), 29 and 64–65. I partly disagree with the assessment of Katherine Aron-Beller that “Iberian tales did not articulate religious concerns about Jews as desecrators of Christian images or associate them with the pursuit of Eucharistic blood.” See Katherine Aron-Beller, “The Jewish Image Desecrator in the *Cantigas de Santa María*,” *Ars Judaica: The Bar Ilan Journal of Jewish Art* 14 (2018): 27–45 at 45.

<sup>30</sup> Antony Bale, *The Jew in the Medieval Book: English Antisemitisms 1350–1500* (Cambridge: Cambridge University Press, 2007), 67. Cf. *Cantigas*, 1:74; trans. *Songs of Holy Mary*, 11. On these images in the *cantigas*, see Hatton and Mackay, “Anti-Semitism in the *Cantigas*”; and Bagby, “The Jew.”

<sup>31</sup> *Cantigas*, 1:89; trans. *Songs of Holy Mary*, 19. Gonzalo de Berceo, *Milagros*, 142–44, noted by Carpenter, *Alfonso X*, 65. In the reference on 114 n. 14, Carpenter confuses miracle 16 (which resembles Alfonso’s *cantiga* 4) with miracle 18.

<sup>32</sup> Carlos Espí Forcén, “El corista de ‘Engraterra’: ¿San Guillermo de Norwich, San Hugo de Lincoln o Santo Dominguito de Val de Zaragoza?” *Miscelánea Medieval Murciana* 32 (2008): 51–64. On the wide dissemination of the story, see E. M. Rose, *The Murder of William of Norwich: The Origins of the Blood Libel in Medieval Europe* (New York: Oxford University Press, 2015).

subsequent theological discussions over the course of the subsequent century.<sup>33</sup> Such discussions coincided with a proliferation of eucharistic miracle stories, which were later gathered in collections that circulated on a wide scale in the thirteenth century.<sup>34</sup> Such stories appear in the *Cantigas* as well, including one telling story—cantiga 149—about a doubting priest similar to the priest in the Bolsena miracle of 1263. This and a few other miracle stories in the *Cantigas* provide evidence that the work was concerned with the contemporary debates about the Eucharist and the Corpus Christi feast such as those later commemorated in the Orvieto frescos.<sup>35</sup>

By the late thirteenth century, such eucharistic miracle tales overlapped with ritual murder stories, giving way to the first charges of host desecration in Paris in 1290. Dozens of accusations appeared in subsequent decades all across Europe, including the Iberian Peninsula in Barcelona, Lleida, and Huesca in the second half of the fourteenth century and in Segovia in the early fifteenth.<sup>36</sup> As Miri Rubin explains, the accusation of host desecration grew from the story of the Jewish boy and “was produced through the intersection of two discursive frames: that which reflected on Jews and attempted to separate them from Christians, and that which defined Christian identity around the sacramental promise and practice of the eucharist.”<sup>37</sup> Alfonso’s pronouncement in the *Siete Partidas* against Jews “stealing children” or making wax substitutes to kill “when children cannot be found” presages the host desecration account in Paris. It also supports a reading that sees both the cantigas discussing the eucharistic miracles as well as those recounting anti-Jewish stories—about the Jewish

<sup>33</sup>For a comprehensive overview of eucharistic theology in this period, see Gary Macy, “Theology of the Eucharist in the High Middle Ages,” in *A Companion to the Eucharist in the Middle Ages*, ed. Ian Christopher Levy, Gary Macy, and Kristen Van Ausdall (Leiden: Brill, 2012), 365–98.

<sup>34</sup>One prominent example is the *Dialogus miraculorum* (1219–1223), a collection of miracles of all kinds (including sixty-seven eucharistic miracles) by German Cistercian Caesarius of Heisterbach (d. ca. 1240), but numerous other collections followed it. The most comprehensive study of eucharistic miracles is Browe, *Die eucharistischen Wunder des Mittelalters*; see also Rubin, *Corpus Christi*, 108–29; and Justice, “Eucharistic Miracle.”

<sup>35</sup>Like the priest in the earliest account of the Bolsena miracle, the doubting priest in cantiga 149 is from Germany, and the miracle of presence occurs while the host is being consecrated. Other cantigas that recount eucharistic miracles include 69, 104, and 251. Also, cantigas 128 and 208 recount versions of the Miracle of the Bees, also represented on the Sigena altarpiece.

<sup>36</sup>Rubin, *Gentile Tales*, 40–48 and 109–14.

<sup>37</sup>Rubin, *Gentile Tales*, 28.

boy in the oven, the waxen crucifixion, and the desecration of Mary in the latrine—as part of that same emerging anti-Jewish rhetoric. Given that Muslims and Jews are often conflated in the Alfonsine legislation (as in some other medieval legislation),<sup>38</sup> the accusations against Jews also provide a meaningful context in which to understand the parallel images of Muslim spoliation and desecration in the Alfonsine corpus.

### HERMENEUTICAL JEWS AND RHETORICAL MUSLIMS

In comparing Muslims and Jews in this way, the *Cantigas* might seem to anticipate similar connections in fourteenth-century discourse, such as that on display in the Sigena altarpiece. At the same time, however, the *Cantigas* might also be shown to complicate its own image of Muslim desecration, presenting some stories in which, as in the Orvieto frescos, Muslims are able to recognize a Christian miracle and even, at times, be converted by it. In this openness to miracles, Muslim characters assume a role in the story similar to that played by doubting priests, children, women, or ill-informed laymen in earlier eucharistic miracle stories that circulated in Europe.<sup>39</sup> Both in the *Cantigas* and in later images, considered in more detail below, the capacity to witness expresses an ambivalence about the place of Muslims in relation to Christian truth, and contrasts with the unambiguous Jewish reaction to the host.

Although both the image of Muslims as critics of the Eucharist and that of Muslims as witnesses to eucharistic miracles were new to Europe in the thirteenth century, both themes had appeared in earlier eastern sources. Before Muslims were accused of desecration in crusade chronicles, Christian legends of Muslim desecration and recognition of the Eucharist had appeared in eastern Christian sources in Syriac and Arabic, usually as part of conversion stories. In addition, the topic of the Eucharist was

<sup>38</sup> See, for example, Benjamin Z. Kedar, “*De Iudeis et Sarracenis*: on the Categorization of Muslims in Medieval Canon Law,” in *Studia in honorem eminentissimi cardinalis Alphonsi M. Stickler*, ed. R. I. Castillo Lara (Rome: Libreria Ateneo Salesiano, 1992), 207–13. Reprint in *The Franks in the Levant, 11th to 14th Centuries* (Aldershot, Hampshire: Variorum, 1993), XIII. For a comparison of Jews and Muslims in decrees of ecclesiastical councils, see Ryan Szpiech, “Saracens and Church Councils, from Nablus (1120) to Vienne (1313–1314),” in *Jews and Muslims under the Fourth Lateran Council*, ed. Marie-Thérèse Champagne and Irven M. Resnick (Turnhout: Brepols, 2018), 115–37.

<sup>39</sup> Rubin, *Corpus Christi*, 128; but cf. Justice, “Eucharistic Miracle,” 311–12, who does not discuss the function of witnessing in distinguishing Jews from Muslims.

prominent in early Christian-Muslim dialogues and polemics.<sup>40</sup> The early ninth-century *Martyrdom of Anthony* (*Rawḥ al-Qurashī*), by a Melkite Christian in the Abbasid Caliphate, tells the story of a nephew of Caliph Hārūn al-Rashīd who would often vandalize churches, but was converted (taking the name of Anthony) by a miraculous vision of a lamb on the altar. A contemporary Greek text by the ascetic Gregory of Dekapolis (d. 842) tells a similar story of the conversion of Ampelon, nephew of the emir of a local city, who attempted to desecrate a church but was converted (taking the name of Pachomius) when he saw a vision of the faithful eating Christ's butchered body in place of the Eucharist.<sup>41</sup> The eleventh-century Arabic-language compilation *Siyar al-bīʿa al-muqaddasa* (Biographies of the holy Church), better known as *History of the Patriarchs of Alexandria*, relates a similar story, allegedly from an earlier source, which includes the less common element of Muslim host desecration. It describes how one al-Hāshimī, the son of a king in Baghdad, would regularly interrupt Christian masses and "order the eucharist to be taken from the sanctuary, and they would break it and mix it with the dust, and he would overturn the chalice." During one mass, he was converted after

<sup>40</sup>Hava Lazarus-Yafeh, "Some Neglected Aspects of Medieval Muslim Polemics against Christianity," *The Harvard Theological Review* 89.1 (1996): 61–84 at 71–72 and 78–9, mentions the work of one al-Qurtūbī, who has since been identified as Cordoban jurist al-Imām al-Qurtūbī (d. 1258), on whom see Juan Pedro Monferrer Sala, "Al-Imām al-Qurtūbī," in *Christian-Muslim Relations: A Bibliographical History*, vol. 4, 1200–1350, ed. David Thomas et al. (Leiden: Brill, 2012), 391–94. Early encyclopedist al-Ṭabarī (d. c. 860) wrote critically of the Eucharist, and Arab Christians found it necessary to defend the Eucharist against Muslim arguments, as did the ninth-century Nestorian apologist Ammār al-Baṣrī, on whom see Wageeh Y. F. Mikhail, "Ammār al-Baṣrī's *Kitāb al-Burbān*: A Topical and Theological Analysis of Arabic Christian Theology in the Ninth Century" (Ph.D. Diss., University of Birmingham, 2013), 291–300. Such criticism continued in later centuries: the Mallorcan friar Anselm Turmeda, who converted to Islam and wrote a polemic against Christianity, criticized the Eucharist at some length. See Mikel de Epalza, *Fray Anselm Turmeda* (ʿAbdallāh al-Tarḡumān) y su polémica islamo-cristiana. Edición, traducción y estudio de la Tuḥfa (Madrid: Hiperión, 1994), 348–59. See also Clint Hackenburg, "Voices of the Converted: Christian Apostate Literature in Medieval Islam" (Ph.D. Diss., The Ohio State University, 2015), 63, 94–96, 328–30.

<sup>41</sup>Dekapolites's sermon containing this anecdote is found in *Patrologiae cursus completus series graeca*, ed. J. P. Migne, 161 vols. (Paris: J. P. Migne, 1857–1866), 100:1201–12. See David Vila, "The Martyrdom of Anthony (Rawḥ al-Qurashī)," and Daniel J. Sahas, "Gregory Dekapolites," both in *Christian-Muslim Relations: A Bibliographical History*, vol. 1, 600–900, ed. David Thomas et al. (Leiden: Brill, 2009), 498–501, and 615–17, respectively; and Tolan, *Saracens*, 56 and 299 note 76.

seeing, in place of the host, a “beautiful child” bleeding and torn in pieces.<sup>42</sup> These sources were unknown in the Latin world, but their circulation in the eastern Mediterranean underscores the long history preceding the later emergence of similar stories in Europe.

In western stories and images, Muslims are first associated with the Eucharist in the guise of enemies who are antagonists to Christ or are witnesses to the Mass, but do not recognize the eucharistic miracle. For example, in the images on the Beam of the Passion, a painted beam from early thirteenth-century Iberia that was displayed above a eucharistic altar, Muslim figures take the place of Christ’s tormentors.<sup>43</sup> Not long after the beam was painted, a miracle story from Valencia began circulating that associated Muslims with the liturgy of the Eucharist, bearing a striking resemblance to the Orvieto miracle story. As the version of events recorded in 1340 tells it, Christian soldiers were surrounded by Muslim fighters outside of Llutxent during a military campaign in 1239. During a hasty Mass before battle, the host was seen to stain the corporal with blood, inspiring the Christians to defeat their attackers. The stained corporal was taken to Daroca, near Zaragoza, where it became a site of pilgrimage that is still venerated today.<sup>44</sup> Contemporary with these examples, from ca. 1255, is the hagiographic vita of Saint Clare of Assisi, in which Muslims are associated explicitly with the Eucharist. Both in text and in subsequent iconography dramatizing Clare’s life (including on a painted reliquary from Assisi), Clare is depicted as repelling Saracen invaders with the

<sup>42</sup> See *History of the Patriarchs of the Egyptian Church, Known as the History of the Holy Church, by Sawīrus ibn al-Muḳaffāʿ, bishop of Ašmūnīn*, ed. A. S. Atiya, Y. ʿAbd al-Masiḥ, and O. H. E. Khs.-Burmester (Cairo: Imprimerie de l’Institut français d’archéologie orientale, 1948), vol. 2, pt. ii, 110–11 (Arabic)/164–65 (trans.). On the author, see Mark N. Swanson, “Mawhūb ibn Maṣṣūr ibn Mufarrij al-Iskandarānī,” in *Christian-Muslim Relations: A Bibliographical History*, vol. 3, 1050–1200, ed. David Thomas et al. (Leiden: Brill, 2011), 217–22.

<sup>43</sup> On the Muslim iconography on the Beam of the Passion, see David M. Freidenreich and Véronique Plesch, “What is That to Us?: The Eucharistic Liturgy and the Enemies of Christ in the Beam of the Passion.” *Studies in Iconography* 41 (2020): 104–30. I am grateful to David Freidenreich for drawing my attention to this example and for sharing his essay with me.

<sup>44</sup> For a thorough study of the miracle, see José Luis Corral Lafuente, “Una Jerusalén en el occidente medieval: la ciudad de Daroca y el milagro de los corporales,” *Aragón en la edad media* 12 (1995): 61–115; and Glazer-Eytan, “Jews Imagined and Real,” 45. I am grateful to Dr. Glazer-Eytan for drawing this story and reference to my attention.



Eucharist in a little silver box.<sup>45</sup> In these and similar stories and images, Muslims are cast as enemies of Christ or as military threats who provoke miracles but are not witnesses to them.

The *Cantigas*, by contrast, despite the numerous examples of desecration, also tell stories that stress the capacity of Muslims to witness, recognize, and respond to Christian miracles. In cantiga 28, for example, the Virgin protects Constantinople from an invading Muslim army by hovering over the city and protecting it with her mantle. “When [the Muslim sultan] had seen this, he realized that he was a sinner, for he saw that it was a miracle of Our Lord.” The sultan then receives baptism in secret.<sup>46</sup> The plots of these miracles all hinge on the ability of the Muslims to recognize and benefit from the spiritual power of the Virgin. In cantiga 167, the Virgin revives a Muslim boy from the dead when his mother “saw how the Christians went to Holy Mary of Salas ... and took the very bold step of trusting in the Virgin.”<sup>47</sup> In a notable contrast with the Jewish crucifixion of a waxen statue in cantiga 12, the Muslim woman then offers “a waxen image” to the Virgin when she asked for her son to be restored, confidently stating that “I believe that She will sympathize with my woe.”<sup>48</sup> In cantiga 205, a Muslim woman and child—in a way that echoes the salvation of the Jewish boy from the oven in cantiga 4—are saved from a burning castle under siege by the Christians after they notice that she looks like the Virgin with the Christ child.<sup>49</sup>

In some cases, Muslims are not only able to discern the Virgin’s spiritual power, but can also appreciate the holy power of Christian images and objects. For example, in cantiga 215, which recounts an event that took place in Alfonso’s own day in a battle in 1277, Muslim soldiers of Marinid ruler Abū Yūsuf (d. 1286) lay waste to the area near Cordoba, and sack a village near Martos, in Jaén. In an echo of the legendary theft of Almanzor, we are told, “Out of ill-will towards our law, they carried off the bells and robbed the altars, on which they left nothing. Then they broke the

<sup>45</sup>This legend is studied by Nirit Ben-Aryeh Debby, “St. Clare Expelling the Saracens from Assisi: Religious Confrontation in Word and Image,” *The Sixteenth-Century Journal* 43 (2012): 643–65, especially 645.

<sup>46</sup>*Cantigas*, 1:131; trans. *Songs of Holy Mary*, 40.

<sup>47</sup>*Cantigas*, 2:169; my translation; cf. trans. *Songs of Holy Mary*, 202, which simply states that she “ventured to trust in the Virgin.”

<sup>48</sup>*Cantigas*, 2:169; trans. *Songs of Holy Mary*, 202.

<sup>49</sup>*Cantigas*, 2:251–53; trans. *Songs of Holy Mary*, 247.

crucifixes and images. They had the border in a great distress.”<sup>50</sup> However, when (as in *cantigas* 169 and 229) they attempted to destroy a statue of Mary but were unable, “they realized that there was great abundance of power in it.” Moreover, they then took the statue to the king of Granada, Muḥammad II (d. 1302), who “recognized this event as a great miracle” and had it delivered to Alfonso to be venerated.<sup>51</sup>

This story stresses the Muslim’s ability to recognize the power of miracles and holy objects, but it is important to note that it does not specifically mention the Eucharist. It is noteworthy that one *cantiga* (104) recounts a love-potion legend that bears comparison to the Sigena altar-piece scene, but does not include any Muslim protagonists. Nevertheless, there is one *cantiga* (46) that not only highlights the Muslims’ capacity to see and accept Christian miracles, but also links that capacity to a miraculous *corporeal* manifestation—in this case, the lactation of the Virgin. A Moor went abroad “to make war on Christians and pillage . . . . That Moor laid waste all the lands he could enter and carried off all he could steal. He triumphantly returned to his own land and piled together the booty he had taken to distribute it.” Among his stolen holy objects, he noticed a painting of the Virgin. As it took his fancy, “he had it set up in a high place and dressed in garments of spun gold.” Because the image caused him to have religious doubts, he challenged God to show him a sign, agreeing to convert to Christianity if he did. “The Moor had scarcely uttered this when he saw the statue’s two breasts turn into living flesh and begin to flow with milk in gushing streams. When he saw this, verily he began to weep and had a priest called in who baptized him.”<sup>52</sup> In this striking story, which recasts a popular Marian theme in specifically Iberian terms of reconquest and conversion, the focus on the corporeal manifestation of grace is not unlike the capacity of the Muslims in Orvieto to see the bleeding Christ child in the host. Mary’s lactating breasts are like Christ’s bleeding wounds, and Mary’s milk is thus a theological surrogate for the Eucharist, a common theme in high medieval iconography, as Caroline

<sup>50</sup> *Cantigas*, ed. Mettmann, 2:288, translation mine. Strangely, lines 15–17 of this particular stanza are left out of the Kulp-Hill translation. For a discussion of this song, see Joseph F. O’Callaghan, *Alfonso X and the Cantigas de Santa Maria: A Poetic Biography* (Leiden: Brill, 1998), 153–54.

<sup>51</sup> *Cantigas*, ed. Mettmann, 2:272–75, translation mine.

<sup>52</sup> *Cantigas*, ed. Mettmann, 1:172–73; trans. *Songs of Holy Mary*, 62.



Fig. 4 *Cantigas de Santa María*, cantiga 46 detail, El Escorial MS T-I-1, folio 68v

Walker Bynum has shown.<sup>53</sup> The Muslim, moreover, has no difficulty recognizing a spiritual presence in the ritual object, immediately weeping and seeking baptism, after which his subjects and friends follow him and convert. The shock of a theological miracle produced by a corporeal manifestation of God’s presence—the lactating breasts—produces an immediate change of heart (Fig. 4).

In the *Cantigas*, Alfonso compares Muslims and Jews directly, as in cantiga 348, in which he calls the Jews “people much worse than Moors” and says Mary “hates” them “worse than the Moors.”<sup>54</sup> Other fourteenth-century authors repeat Alfonso’s comparison between Muslims and Jews. Jurist Oldradus de Ponte (d. 1337) states that “the sect of the Saracens is not as bad as that of the Jews,” and converted Jew Alfonso de Valladolid (Abner de Burgos) (d. ca. 1347) similarly affirms that “the law of the

<sup>53</sup> Caroline Walker Bynum, *Holy Feast and Holy Fast: The Religious Significance of Food to Medieval Women* (Berkeley: University of California Press, 1987), 271. See also Vibeke Olson, “Blood, Sweat, Tears, and Milk: ‘Fluid’ Veneration, Sensory Contact, and Corporeal Presence in Medieval Devotional Art,” in *Binding the Absent Body in Medieval and Modern Art: Abject, Virtual, and Alternate Bodies*, ed. Emily Kelly and Elizabeth Richards Rivenbark (New York: Routledge, 2017), 11–31 at 19, who notes, “Mary’s milk was the counterpart to Christ’s blood, and like Christ’s blood, Mary’s milk was the vehicle through which her presence was seen, heard, felt, and tasted . . . Mary’s milk could be understood in a Eucharistic sense, as a symbolic reference to Christ’s blood.”

<sup>54</sup> *Cantigas*, ed. Mettmann, 3:206; trans. *Songs of Holy Mary*, 423–24.

Moors is not as bad as the faith of the Jews.”<sup>55</sup> Based on this sort of comparison, numerous texts in this period also distinguish between Muslim tractability and vision and the persistent blindness and malevolence of Jews when faced with similar objects. Unlike the Jewish father in cantiga 4, for example, who rejects the miracle that follows his son’s ingestion of the Eucharist, the family of the Muslim man in cantiga 46 converts on account of Mary’s miraculous female body.

This repeated contrast is not unique to the *Cantigas* or to the Orvieto frescos a century after. Rather, it is part of a larger trend in anti-Jewish writing of the period in which Islamic texts and Muslim characters are not only deemed to be “not as bad” as Jews, but are also frequently invoked as “witnesses” to Christian truth against Jewish error, playing a rhetorical role as allies of Christian apologists. Muslim respect for Jesus and Mary was cited repeatedly by Christian polemicists of the thirteenth and fourteenth centuries as a further proof that Jewish rejection of Christianity was unfounded. For example, in speaking of Jesus’s miracles in his extensive anti-Jewish polemic *Capistrum Iudaeorum* (1267), Catalan Dominican Ramon Martí, exactly contemporary with Alfonso X, states that “Our enemies, that is the Saracens, are witnesses that ... the Lord Jesus did these and many similar things.”<sup>56</sup> Similarly, in his later *Pugio fidei* (1278), Martí affirms about his discussion of the Virgin birth and the ascension of Jesus to heaven, “Let those who doubt this ask the Saracens and they will confirm with their own testimony that I speak truly.”<sup>57</sup> Martí’s younger contemporary, Dominican Riccoldo da Monte di Croce (d. 1320), whose attack on Islam *Contra legem Sarracenorum* became one of the most popular and widely disseminated anti-Muslim polemics of the later Middle Ages, also affirms, “Never is there such a valid witness ... as when he who is trying to offend speaks praise.”<sup>58</sup>

<sup>55</sup> Norman Zacour, *Jews and Saracens in the Consilia of Oldradus de Ponte* (Toronto: Pontifical Institute of Mediaeval Studies, 1990), 77; Alfonso de Valladolid, *Mostrador de justicia*, ed. Walter Mettmann, 2 vols. (Altenberge/Opladen: Westdeutscher Verlag, 1994–1996), 2:427, my translation.

<sup>56</sup> Ramon Martí, *Capistrum Iudaeorum*, ed. and trans. Adolfo Robles Sierra, 2 vols. (Würzburg: Echter; Altenberge: Telos, 1990–1993), 1:282 (1.7.12), my translation.

<sup>57</sup> *Pugio fidei*, 2.8.11. Bibliothèque Sainte-Geneviève, MS 1405, fol. 65v; and Ramon Martí, *Pugio fidei adversus Mauros et Iudaeos* (Leipzig and Frankfurt: Sumptibus Haeredum Friderici Lanckisi, Typis Viduae Johannis Wittigau, 1687), 365, my translation.

<sup>58</sup> Jean-Marie Mérigoux, “L’ouvrage d’un frère prêcheur florentin: Le « Contra legem Sarracenorum » de Riccoldo da Monte di Croce,” *Memorie Domenicane* n.s. 17 (1986): 1–144 at 136, my translation.

This image of what I have elsewhere termed the “rhetorical Muslim” stands in stark contrast to the traditional image of the Jewish infidel in Christian polemics. The figure identified by Jeremy Cohen as the “hermeneutical Jew”—“the Jew as constructed in the discourse of ... Christian theologians’ interpretation of Scripture”—could be understood in the classic formulation of St. Augustine (d. 430) as a *testimonium scripturarum* (“a testimony of the Scriptures”) on account of his *disbelief* in Christian truths allegedly found in his own books.<sup>59</sup> The “rhetorical Muslim” of the later Middle Ages, by contrast, follows a contrary logic. Whereas Jews are imagined to “testify” by virtue of their alleged “disbelief,” Muslims are “witnesses” to Christian truth by virtue of their actual recognition of Mary and Jesus.<sup>60</sup> Alfonso’s Muslims in the *Cantigas*, like the converted Saracens in Orvieto, play precisely this rhetorical role, offering further confirmation of Christian truths through their capacity to see and willingness to recognize a Christian miracle. In the *Cantigas* and other contemporary writing, the image of the Muslim as a pro-Christian witness existed alongside—and in ambiguous tension with—the image of the Muslim as an infidel and desecrator of Christian spaces and objects.

### THE PARDONING OF LORENZO SUÁREZ GALLINATO

The ambivalent Christian stance toward Muslims taken in Alfonsine works such as the *Cantigas* continues to appear in some Castilian texts of the fourteenth century as well. One salient example that evokes all of the elements considered above—Christian-Muslim military conflict, conversion, Muslim host desecration, and the suggestion of a Muslim capacity to recognize a Christian miracle—was written by Alfonso’s own nephew, Castilian nobleman don Juan Manuel. Among the fifty stories contained in the exemplary tale collection *El Conde Lucanor* (from 1335), a collection of frame tales that is now one of the most canonical and widely read

<sup>59</sup> Jeremy Cohen, *Living Letters of the Law: Ideas of the Jew in Medieval Christianity* (Berkeley: University of California Press, 1999), 2–3, 39.

<sup>60</sup> For a detailed discussion of the “rhetorical Muslim,” see Ryan Szpiech, “Rhetorical Muslims: Islam as Witness in Western Christian Anti-Jewish Polemic,” *Al-Qanṭara* 34 (2013): 153–85; and Ryan Szpiech, “*Testes sunt ipsi, testis et erroris ipsius magister*: el musulmán como testigo en la polémica cristiana medieval,” *Medievalia* 19 (2016): 135–56; and see also Jeremy Cohen, “The Muslim Connection, or On the Changing Role of the Jew in High Medieval Theology,” in *From Witness to Witchcraft: Jews and Judaism in Medieval Christian Thought*, ed. Jeremy Cohen (Wiesbaden: Harrassowitz, 1996), 141–62.

texts of medieval Castilian literature, we find two anecdotes (*exemplos* 15 and 28) that involve King Fernando III, the author's grandfather, and a Galician knight named Lorenzo Suárez Gallinato.<sup>61</sup> The first (*exemplo* 15) serves to introduce their relationship and tells the story of Fernando's conquest of Almohad Seville in 1248, while the second (28) records a story told by Suárez Gallinato to Fernando about the former's previous service to the Muslims of Granada.

In *exemplo* 15, Juan Manuel notes that Fernando had various good men in his army, and Suárez Gallinato was among the three best.<sup>62</sup> One day, during the campaign to take Seville, these three approach the city without having received orders. They initiate a skirmish with the Muslims, provoking a significant confrontation. Although the Christians emerge victorious, the king is angry, and orders the knights to be arrested for insubordination, saying their crimes of acting without orders and risking their lives merit death. After other soldiers plead for their release, the king frees them and determines which of the three was the best knight at arms, the honor going to Suárez Gallinato.<sup>63</sup>

This story is in keeping with a number of Castilian legends about Suárez Gallinato that reproduce this pattern of insubordination and subsequent pardon by the king. Alfonso X recounts in the *Estoria de España* that before the siege of Cordoba (1236), Fernando had banished Suárez Gallinato from his kingdom. The latter responded by entering into the service of Ibn Hūd (d. 1237),<sup>64</sup> a Muslim ruler who governed Murcia under the Almohads and who subsequently rebelled and claimed rule over various Andalusī cities in the mid-thirteenth century, including Cordoba. Eventually, the *Estoria* tells us, despite his initial service to the Muslim king, Suárez Gallinato betrayed Ibn Hūd and provided intelligence to the

<sup>61</sup> For a summary of the two exempla about Fernando III, see Carlos Heusch, "Yo te castigaré bien como a loco". Los reyes en *El Conde Lucanor* de Juan Manuel," *e-Spania* 21 (2015): 1–15 at 5–6 (para. 11–12). Also relevant is David Wacks, *Framing Iberia: Maqāmāt and Frametale Narratives in Medieval Spain* (Leiden: Brill, 2007), 140. For a discussion of *exemplo* 28, see Olivier Biaggini, "Le miracle dans le *Conde Lucanor* de Don Juan Manuel," in *Miracle d'un autre genre*, ed. Olivier Biaggini and Bénédicte Milland-Bove (Madrid: Casa de Velásquez, 2012), 257–80 at 274–76.

<sup>62</sup> Juan Manuel, *Obras completas*, ed. José Manuel Blecua, 2 vols. (Madrid: Gredos, 1983), 2:124.

<sup>63</sup> Juan Manuel, *Obras completas*, 2:125.

<sup>64</sup> *Primera Crónica General*, 1:731. On Juan Manuel's adaptation of Alfonso X's text, see Diego Catalán, "Don Juan Manuel ante el modelo alfonsí: El testimonio de la *Crónica abreviada*," in *Juan Manuel Studies*, ed. Ian MacPherson (London: Tamesis, 1977), 17–52.

Christians, in the end aiding in the conquest of Cordoba and thus winning back the Christian king's favor. The downfall of Ibn Hūd, a rebel against the Almohads, at the hands of Suárez Gallinato, a former rebel against Fernando III, is a cautionary tale about the risks of insubordination and rogue political action.

The question of what merits the king's pardon for betrayal or misbehavior is also at the heart of *exemplo* 28, which mirrors *exemplo* 15 in many ways. Like the former, it also involves Suárez Gallinato and it similarly tells an anecdote about his insubordination and eventual winning of royal pardon—in this case pardon both by a Muslim king and by Fernando himself. But the crime it presents is more severe and the final pardon more dramatic, hinging on a eucharistic miracle. The story begins after Suárez Gallinato has returned to the service of the Christian king:

Don Lorenzo Suárez used to live with the King of Granada, and when he returned to favour with King Fernando, the king asked him one day whether, in view of the many ways he had offended God by his service with the Moors, he thought that God would ever have mercy on his soul; and he replied that he had never done anything which would lead him to think that God would have mercy on his soul, except that once he had killed a celebrant priest. This was thought by the king to be very strange, and he asked him to explain.<sup>65</sup>

It is then revealed that Suárez Gallinato was formerly serving “the king of Granada,” that is, Ibn Hūd in Cordoba (not his rival, the true king of Granada Muḥammad I ibn Naṣr).<sup>66</sup> Juan Manuel seems to base his narrative loosely on the backstory in the *Estoria*, depicting Suárez Gallinato as having betrayed the Christians through service to a Muslim ruler. But he moves the sphere of the knight's action from Cordoba to Granada (the only Iberian land still under Muslim rule in Juan Manuel's day) and makes

<sup>65</sup> Juan Manuel, *Obras completas*, 2:247; Juan Manuel, *El Conde Lucanor. A Collection of Medieval Spanish Stories*, ed. and trans. John England (Warminster: Aris and Phillips Ltd., 1987), 191.

<sup>66</sup> María Rosa Lida de Malkiel, “Tres notas sobre Don Juan Manuel,” in *Estudios de literatura española y comparada* (Buenos Aires: Eudeba, 1969), 107, notes that Juan Manuel alters the circumstances of the knight to make his loyalty seem greater, and compares the miracle of the host to related Cistercian stories. See the comment by Colin Smith, *Christians and Moors in Spain, Volume II, 1195–1614* (Warminster: Aris and Phillips, 1988), 45. Heusch, “Yo te castigaré,” 5 (para. 11) suggests that the story of the apostate priest in Granada abusing the host derives from oral tradition.



Ibn Hūd into the “king of Granada,” whom Suárez Gallinato serves directly as personal bodyguard. In this capacity, the latter is forced to choose between political allegiance to the “body” of the king and spiritual allegiance to the “body” of Christ that he recognizes in the Eucharist. The story continues with Suárez Gallinato’s answer:

He replied that while he was living with the king of Granada, he was greatly trusted by the king and was his bodyguard; and one day, whilst out riding in the city with the king, he heard the sound of men shouting, and because he was the king’s personal guard, he spurred his horse, and reaching the place where the noise was coming from, he found a priest in full vestments. It is the case that this priest was a Christian who had converted to Islam, and one day, to amuse the Moors, he told them that if they wanted, he would give them the God in whom the Christians trusted and believed. The Moors asked him to do so. The treacherous priest then made some vestments and built an altar, and said Mass and consecrated a host; and when it had been consecrated, he gave it to the Moors, and they dragged it around in the mud, making a great mockery of it.<sup>67</sup>

It is with this offense of desecrating the host that Suárez Gallinato feels compelled to take action, assaulting the apostate priest in order to save the Eucharist from further abuse:

When Don Lorenzo Suárez saw this, although he was living with the Moors, he remembered that he was a Christian, and believing that without doubt that was truly the body of God, he believed that since Christ had died to redeem his sins, it would be a blessing for him to die avenging Him and saving Him from the affront which those false people thought they were inflicting on Him; upset and distressed by this, he went up to the treacherous renegade priest who was committing this act of blasphemy, and cut off his head. He then dismounted and knelt on the ground to adore the body of God; and the host, which was at some distance from him, leapt up from the mud and into the lap of Don Lorenzo Suárez.<sup>68</sup>

<sup>67</sup> Juan Manuel, *Obras completas*, 2:247; Juan Manuel, *El Conde Lucanor*, trans. England, 191.

<sup>68</sup> Juan Manuel, *Obras completas*, 2:247; Juan Manuel, *El Conde Lucanor*, trans. England, 191.

From a narratological perspective, the structure of this account is complicated.<sup>69</sup> In the outer frame of the story, Count Lucanor asks his friend Patronio for advice about a man who wants to work for him but has formerly acted incorrectly on various occasions. Within the narrative frame of Patronio's response, a second frame opens in which Fernando asks Suárez Gallinato if he believes he will be condemned for his service to the Muslims. That leads to yet a third narrative level in which Suárez Gallinato tells the anecdote that culminates with the killing of the renegade priest. The narrative structure has the effect of emphasizing the oral, anecdotal nature of the encounter and giving the aura of a miraculous legend to the events. The text's character as legend, telling of Suárez Gallinato's deeds in the form of a hagiographic account of a saint's life, is most evident in his final and transformative change of heart. When he "saw" the abuse of the Eucharist, he "remembered that he was a Christian" and he was moved, like a saint, even to welcome martyrdom for his revived faith. The emphasis on "remembering" implies Suárez Gallinato's experience is like a conversion, often constructed in contemporary conversion narratives as a "return" to God from infidelity or infraction. He "returns" to his faith in spite of his sins, "although he was living with the Moors."

The fact that his witnessing of the miracle of Transubstantiation provokes his return to faith only makes sense if we see it as a reversal of his former course, a pulling back from his path of treason and betrayal. He was already banished by the Christian king and was in the intimate service of the Muslim. Fernando suggested that he in fact had gone so far in his sin that his redemption may have been impossible, implying not only that his treason was political, but that he was close to apostasy and even conversion to Islam. His story thus logically unfolds in direct contrast to that of the renegade priest who "was a Christian who had converted to Islam." Tellingly, the priest is described according to his outer garments: Suárez Gallinato "found a priest in full vestments" because the false priest had "made some vestments" along with an altar for Mass. Unlike the bad priest, who focused on the "outer" appearance of holiness, and so failed to believe in the imperceptible reality of Christ's true presence in the host, Suárez Gallinato turns inward from these spectacles, "believing that without a doubt that was truly the body of God," even though it kept the

<sup>69</sup>For a study of this and similar narratological devices, see Mariano Baquero Goyanes, "Perspectivismo en 'El Conde Lucanor,'" in *Don Juan Manuel. VII centenario* (Murcia: Universidad de Murcia, 1982), 27–61, especially 40–41.

outer form of bread. After dispensing with the evil priest, he “knelt on the ground to adore the body of God,” and the host “leapt up from the mud” onto his lap. The leaping of the host is reminiscent of contemporary eucharistic miracles in which the host leaps into the mouth of the believer (or out of the mouth of the sinner, as in the Sigena altarpiece).<sup>70</sup> In this climax, the believer’s inner faith and outer perception are united, suggesting that the miracle is a sort of sacrament, in the classic definition used in Christian debates over the Eucharist as a “visible form of invisible grace.”<sup>71</sup>

While it is clear that Suárez Gallinato’s renewed faith—his spiritual conversion—is described in contradistinction to the bad priest’s apostasy, it is less clear what role the Muslims play in the story. When the miracle of the leaping host occurs, the Muslims do not accept it and become enraged at the Christian knight’s violent act. Forming a mob, they attempt to kill Suárez Gallinato:

When the king heard this noise and saw them trying to kill Don Lorenzo Suárez, he ordered them not to harm him, and asked for an explanation. In a furious rage, the Moors explained everything to him. The king was greatly angered by this, and demanded to know why Don Lorenzo Suárez had acted as he had. Don Lorenzo Suárez replied that as he well knew, they were of different faiths, but despite being aware of this the king entrusted his person to him and had chosen him for this purpose, in the belief that he was loyal and that not even fear of death would prevent him from protecting him; so if the king considered his loyalty such that he would do this for him, who was a Moor, he should appreciate the lengths to which he would go, being loyal and a Christian, to protect the body of God, who is the King of Kings, and Lord of Lords; and if he had him killed for this, it would be the best day of his life. When the king heard this, he approved of what Don Lorenzo Suárez had done, and loved and esteemed him, and did much more for him from that day forward.<sup>72</sup>

<sup>70</sup>For example, Catherine of Siena’s communion. See Rubin, *Corpus Christi*, 120 note 232; and Bynum, *Holy Feast and Holy Fast*, 48–72.

<sup>71</sup>Augustine of Hippo is certainly the origin of the concept, but his use of the exact phrase is not known. Cf. Augustine Hipponensis, *Questionum in heptateuchum libri septem*, ed. I. Fraipont, CCCM 33 (Turnhout: Brepols, 1958), 227–28 (III:84). The classic formulation, “a sacrament is the visible form of invisible grace” (*invisibilis gratiae visibilis forma*) is first articulated as such by Berengar of Tours (in answer to Lanfranc), who attributes it to Augustine in his defense of the concept of the divine substance of the Eucharist.

<sup>72</sup>Juan Manuel, *Obras completas*, 2:247–48; Juan Manuel, *El Conde Lucanor*, trans. England, 191–93.

By comparing the body of the king with the body of Christ, Suárez Gallinato's explanation of his actions makes his faith even clearer. He is a "bodyguard," and thus a fitting defender of the doctrine of the true presence of the body of Christ in the host. Various scholars have noted the possible sources of this miracle tale, pointing to a related anecdote told by French crusading historian Jacques de Vitry (d. 1240) and by Dominican preacher Steven (Étienne) of Bourbon (d. ca. 1261).<sup>73</sup> The source tales do not, however, describe the desecration of the host, but instead tell of a Christian knight who, while crossing a bridge, hears someone blaspheme Christ and punches him in response. By adapting this legend to make it hinge explicitly on desecration and protection of the "true presence" in the Eucharist, Juan Manuel links this story with contemporary accounts of host desecration, usually at the hands of Jews, that circulated in the early fourteenth century.

At first, it seems that the Muslim characters are incapable of recognizing the motives of Suárez Gallinato's actions. Given that the initial action of the Muslim mob was to desecrate and mock the Eucharist, their violent reaction, attempting to kill Suárez Gallinato and not responding to the consecration or the miraculous leap of the Eucharist out of the mud, portrays them as blind to the holy presence in the host that Lorenzo is actively defending. Their anger at his action—they are "outraged" and "in a furious rage"—cannot be explained only by their devotion to the apostate priest, but must be understood also as a manifestation of their rejection of the doctrine of real divine presence in the consecrated host. The text adds the curious detail that Suárez Gallinato acted to save the host "from the affront which those false people *thought* they were inflicting on Him." By claiming that the affront was only apparent and in the minds of the Muslims, the text seems to allude to a theological distinction between the form and the substance of the host. The text does not question if the host has been truly consecrated, and so the actions against it are only able to

<sup>73</sup> See Alexandre Haggerty Krappe, "Les sources du *Libro de Exemplos*," *Bulletin hispanique* 39 (1937): 5–54 at 19, #53, and also Daniel Devoto, *Introducción al estudio de Don Juan Manuel, y en particular de El Conde Lucanor* (Madrid: Castalia, 1972), 414–15. Krappe lists Étienne de Bourbon, Jacques de Vitry, and Bernardino da Siena as possible sources. See Étienne de Bourbon, *Anecdotes historiques, légendes et apologues tirés du recueil inédit d'Étienne de Bourbon dominicain du XIIIe siècle*, ed. A Lecoy de la Marche (Paris: H. Loones, 1877), 340 (#385). Jacques de Vitry tells a similar story. See Jacques de Vitry, *The Exempla or Illustrative Stories from the Sermones vulgares of Jacques de Vitry*, ed. Thomas Frederick Crane (London: David Nutt, 1890), 221–22 (#219).

desecrate its outer form (a question that was debated in thirteenth-century eucharistic theology). Yet such actions are not able to truly inflict harm on the mystical body, which is in the substance of the host but not its form, a distinction that the Muslim mob and the bad priest are unable to understand.

However, the idea of desecrating the host did not come from the Muslims, but from the renegade priest, suggesting that the more serious threat is from internal doubt within the Christian community rather than external mockery or desecration. Moreover, not all the Muslims are blind or opposed to the miracle of the Eucharist, as the response of the Muslim king suggests. Although the king is also angry at first, it is because his laws have been broken. Suárez Gallinato's likening of the king's royal body to the body of Christ pleases rather than offends the king. When the king "approved of what Don Lorenzo Suárez had done," he shows an implicit appreciation for the doctrine of the Eucharist by understanding the comparison between loyalty to the "body" of Christ and loyalty to him. The king thus "loved him and esteemed him, and did much more for him from that day forward." Similarly, just as the false priest's lack of faith in the Eucharist led to his death, Suárez Gallinato's actions led to his own success and pardon by the Muslim king. This fate mirrors that of his former pardon by the Christian king in *ejemplo* 15, which also echoes his other former pardon by Fernando III, alluded to in the opening of the story when he "returned to favour with King Fernando." Although the lingering ambiguity created by the former betrayal of Ibn Hūd is never addressed or resolved, Suárez Gallinato's apparent return to favor with both worldly kings is akin to his "remembering" his faith and returning to favor with God.<sup>74</sup>

The pardoning of Suárez Gallinato is thus an affirmation of the power of witnessing. By the end of the tale, the pardon of Suárez Gallinato is triple, coming first from the Muslim king, next from King Fernando, and finally from God, from whom the knight expects mercy for his defense of

<sup>74</sup>The conundrum of Suárez Gallinato's faith introduces a perplexing ambiguity of purpose. The pardon by the Muslim king depends on the comparison of Suárez Gallinato's loyalty to the king's body with his loyalty to defend Christ's body. If Suárez betrayed a former ruler, Ibn Hūd, in order to win the pardon of Fernando III, the justification of his faithfulness to the Eucharist is implicitly undermined as well. From the reader's perspective, it is impossible for Suárez to be pardoned by all his sovereigns (Muslim king, Christian king, God). In the end, he opts for the pardon of the Christian king—making the opening discussion in which the king doubts his future salvation all the more poignant.

the Eucharist. While the priest is condemned for his failure to witness (and not only for his apostasy), Suárez Gallinato is saved by his ability to “see,” and this ability is meant to be—against the doubts of the king himself—his final salvation. The Muslim king, moreover, by recognizing that defense of the Eucharist was akin to defense of his own royal body, resembles the Muslims of the *Cantigas de Santa María* who, when faced with a Marian miracle or holy object, recognize its spiritual power. In this way, this pardon story constitutes an explicit statement of faith in the context of contemporary debates over the theology of the Eucharist. *Exemplo 28* is a direct evocation of the contemporary image of the testifying Muslim that had circulated in Iberia at least since the reign of Alfonso X.

### CONCLUSION

The alternating representations of Muslims as desecrators of Christian objects and as “witnesses” to the spiritual presence in the Eucharist and similar Christian holy objects can be understood as part of a broader phenomenon in western Christian discourse in the thirteenth and fourteenth centuries. The stories of Muslim desecration and destruction in the *Cantigas*, like earlier images from conquest and crusade chronicles, inform the depiction of Muslims as host desecrators in *exemplo 28* of *El Conde Lucanor* and again in the Sigena altarpiece a few decades after. At the same time, the stories about Muslims as witnesses and converts in the *Cantigas*, as well as contemporary discourse in polemical writing by Ramon Martí and other polemical writers, anticipate the depiction of the Muslim king of Granada in *exemplo 28*, and the images of Muslim converts in the Orvieto frescos.

These examples, spanning from the mid-1260s through most of the fourteenth century, also coincide with the declaration and popularization of the Corpus Christi feast as well as the concomitant emergence, beginning in 1290, of accusations against Jews of host desecration. While the former images of Muslims as desecrators respond in part to ongoing military engagements with Muslims in the Iberian reconquest and in the crusades, the latter association of Muslims with the Eucharist and other spiritual matters is more a product of contemporary Christian ideas about Jews that conjured images of Muslims for comparison. Although Muslims would continue to be seen as military enemies through at least the sixteenth century, they also sometimes played this rhetorical role as imagined witnesses to Christian truths, in contrast to the “hermeneutical” role

played by Jews as incorrigible disbelievers. The overlapping but partly contrasting images preserved in the Sigena altarpiece and Orvieto frescos bespeak a broader ambivalence about the relative place of Muslims and Jews in the Christian theological imaginary of the thirteenth and fourteenth centuries.

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# The Perception of the Religious Other in Alonso de Espina's *Fortalitium Fidei* : A Tool for Inquisitors?

*Ana Echevarria*

## MANUSCRIPTS AND EDITIONS: THE *FORTALITIUM FIDEI* TRAVELS AROUND EUROPE

The several lives of a single manuscript across more than two centuries may account for its status as a bestseller. This was definitely the case with the  *Fortalitium fidei contra iudaeos, sarracenos et alios christianae fidei inimicos*  (1459–1462) by Alonso de Espina, written to warn Christians of the evil of the enemies of their faith—heretics, Jews, Muslims, witches, and demons. The book was intended at first as a manual for preachers,<sup>1</sup>

<sup>1</sup>This use was studied by Steven J. McMichael,  *Was Jesus of Nazareth the Messiah?: Alphonso de Espina's argument against the Jews in the Fortalitium fidei (c.1464)*  (Atlanta: Scholars Press, 1994) and idem, “The End of the World, Antichrist and the final conversion of the

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S. Davis-Secord et al. (eds.),  *Interfaith Relationships and Perceptions of the Other in the Medieval Mediterranean, Mediterranean Perspectives* , [https://doi.org/10.1007/978-3-030-83997-0\\_6](https://doi.org/10.1007/978-3-030-83997-0_6)

and in this capacity it was copied several times in manuscript for a varied readership which likely included university students and professors—such as Espina’s colleagues at Salamanca—Franciscan friars, members of other religious Orders, bishops, and sponsors from the nobility who were interested in the contents of the work for their own reasons (see partial list in the Appendix). What seems to have expanded later interest in the book, apart from the evolution of the Judeo-convert issue in the kingdom of Castile, was the related establishment of a permanent Inquisition in Spain in 1478, and the need to provide background information for the newly-appointed members of inquisitorial courts throughout the kingdom. However, Espina’s treatise was also circulated well before the establishment of the official Spanish Inquisition and used for diverse purposes, both in the Iberian Peninsula and in other parts of Europe.

The main features of the *Fortalitium fidei* are encyclopedic knowledge and care for theological definition and characterization of theological problems, rather than originality. Alfonso de Espina’s fame as a preacher helped to disseminate his other written works, but none of them would ever become as famous as this compilation. A Franciscan friar, master in theology and preacher in the kingdom of Castile, he started his preaching career with the *Sermones del nombre de Jesús*.<sup>2</sup> These were followed by his appointment to preach Calixtus III’s first crusade bull for the Peninsula (1456–1457). Later, we have his *Sermones plures de excellentia nostrae fidei*, preached in 1459. All these sermons were a preparation for his great work, the *Fortalitium fidei*, started around that year. Espina was well known as a scholar in Salamanca, and as a preacher in all of Castile. However, there are few extant copies of his sermons, and the loss of the library of the convent of San Francisco in Salamanca, where he is said to have taught, makes

Jews in the *Fortalitium Fidei* of friar Alonso de Espina (d. 1464),” *Medieval Encounters* 12, no. 2 (2006): 224–73.

<sup>2</sup>On his biography, see Alisa Meyuhus Ginio, *La forteresse de la foi: la vision du monde d’Alonso d’Espina, moine espagnol* (Paris: Cerf, 1998), 67–102; Ana Echevarria, *The Fortress of Faith. The attitude towards Muslims in fifteenth century Spain* (Leiden: Brill, 1999), 47–55, and idem, “Alfonso de la Espina,” in *Christian-Muslim Relations. A Bibliographical History*, vol. 5, 1350–1500, ed. David Thomas and Alex Mallett (Leiden: Brill, 2013), 451–55; Rosa Vidal Doval, *Misera Hispania?: Jews and Conversos in Alonso de Espina’s Fortalitium fidei* (Oxford: The Society for the Study of Medieval Languages and Literature, 2013), 20–29. Also Constanza Cavallero, “Alonso de Espina y sus homónimos. Confusiones historiográficas e interrogantes históricos,” *Revista de Historia Jerónimo Zurita* 93 (2018): 121–38, who disentangles the confusion involving three authors with the same name.



it impossible to assess the real influence of his preaching except for a few mentions that will be noted below.

Since the original manuscript of the *Fortalitium* has also been lost, the closest copy remaining today is the Latin manuscript produced for Pedro García de Montoya, counselor of King Juan II and bishop of Osma (1454–1474) around 1469. Bishop Pedro was a learned man who invested in his cathedral. He founded the library, for which he ordered a great number of manuscripts decorated with his coat of arms and lavishly illuminated by García of San Esteban de Gormaz, probably a parish priest of the see of Sigüenza, which Pedro had previously held. García's workshop produced several manuscripts of inter-religious polemics.<sup>3</sup>

Although modern historiography has concentrated on Espina's impact in the spread of anti-Judaism and his interest in the *converso* issue, a careful study of his work and times shows that his aims were all-encompassing and concerned all deviations from the Christian faith.<sup>4</sup> The interest of different readers in one or another part of the work contributed to the success of the treatise in several geographical settings, depending on the heresies that had arisen in them. While books III and IV, devoted to Jews and Muslims respectively, had a strong influence on the work of the Spanish Inquisition against its two main target groups of converts in fifteenth- and sixteenth-century Spain, books II and V concerning heretics and demons were vital for inquisitors working in Flanders, France, and England. We will examine the work's success as a catalog or manual for inquisitors in the early modern period through the study of the impact of its different books in particular religious contexts, the number of manuscripts copied and editions printed, changes in the symbolic messaging of illustrations found in both manuscripts and printed editions, and how these found their way into selected European and Spanish libraries. This focus will show that the *converso* problem and the book on Jews were not necessarily the most important for all contemporary readers.

<sup>3</sup>Echevarria, *Fortress*, 98. At least two more manuscripts of the *Fortalitium* have disappeared: Royal Library of the Monastery of San Lorenzo in El Escorial (BRMSL) ms. I.E.18, and the one ordered by Bishop John of Magdeburg and finished around 1471, which is no longer found in the Magdeburg Manuscript Collection of the Staatsbibliothek zu Berlin.

<sup>4</sup>Cavallero has already called for attention on this, asking for an analysis of the whole *Fortalitium* rather than the fragmentary focus on just one or two books, a desire that this article seeks to fulfill. Constanza Cavallero, *Los enemigos del fin del mundo. Judíos, herejes y demonios en el Fortalitium fidei de Alonso de Espina (Castilla, siglo XV)* (Buenos Aires: Miño y Dávila, 2016), 154–55.

In fact, the first circulation of *Fortalitium* manuscripts beyond Iberia may have been related to new heresies in the Flemish area in the years immediately after its composition.<sup>5</sup> Between 1450 and 1480, theologians in the duchy of Burgundy had to face a wave of religious dissent, described as Waldensians (Vauderie) or as witches somewhat indiscriminately, which had spread in Arras, the Tournaisis, Flanders, and Brabant. Premonstratensian abbeys and the University of Louvain were the main institutions involved in the fight against this heresy, and several copies of the *Fortalitium* were ordered to join other materials used by local inquisitors. This explains one of the channels of diffusion for Espina's work, with manuscripts copied for Henri de Zomeren, a Louvain professor who lived in the Premonstratensian abbey of Parc (Heverlee),<sup>6</sup> for the related abbey of Tongerlo (Anvers, Brabant)<sup>7</sup>; and for an unknown Benedictine abbey.<sup>8</sup> Another outbreak of the Waldensian spirit, following in the wake of the Waldensian crusade of 1487–1488, saw the remnants of this group in France and Piedmont focus on the issue of justification through faith as a way to align with Protestant Reformers, and this may have been the reason for the production of a little-known 1522 Italian edition of the *Fortalitium*. This book might have been used as a reference for the inquisitorial searches that followed the synod of Chanforan (1532), at which Waldensians proclaimed their allegiance to Lutheranism.<sup>9</sup>

The first printed edition (1471) of the *Fortalitium* was produced in Strasbourg by the workshop of Jean Mentelin, itself founded around 1462. This was a large-format text aimed at cathedral or monastic libraries, with a page display very similar to that of manuscripts. Mentelin, who had been an apostolic notary for the cathedral, was one of the successors of Gutenberg when he left Strasbourg for Mainz. His press published Bibles in German and Latin, works by Augustine, Thomas Aquinas,

<sup>5</sup> All the editions are mentioned in Antonio Palau y Dulcet, *Manual del librero hispano-americano* (Barcelona: Librería Palau, 1951), vol. 5, under the heading "Espina." Another list in Klaus Reinhardt and Horacio Santiago-Otero, *Biblioteca bíblica ibérica medieval* (Madrid: Centro de Estudios Históricos, 1986), 63–64.

<sup>6</sup> Bibliothèque Royale de Belgique, MS Latin II.83, cat. 1713, Joseph van den Gheyn, *Catalogue des manuscrits de la Bibliothèque Royale de Belgique* (Brussels: H. Lambertin, 1903), 3:103–5.

<sup>7</sup> Bibliothèque Royale de Belgique, MS Latin 7497 (around 1470), cat. 1711.

<sup>8</sup> Bibliothèque Royale de Belgique, MS Latin 9524 (1470–1480), cat. 1712. Another contemporary copy without location is Latin MS 156–157 (1470–1480).

<sup>9</sup> Euan Cameron, *The Reformation of the Heretics: The Waldenses of the Alps 1480–1580* (Oxford: Clarendon Press, 1984).

Aristotle, John Chrysostom, Isidore of Seville, and Albert the Great, as well as Nicholas of Lyra's commentary *Postilla super totam Bibliam*. Mentelin also published texts of classical antiquity and German court literature, such as Wolfram von Eschenbach's *Parzival*. Why Espina should join such a group of authors is difficult to explain, although it may be related to the interest of a particular bishop in polemics, or to the Burgundian connections of the city in this period, thus joining other works produced for the persecution of Waldensians.<sup>10</sup> As printing workshops became established in other cities, a similar edition was also published just up the Rhine by Bernard Richel in Basel (1475).

At the same time, the *Fortalitium* reached the ducal court through Louis Gruuthuse of Bruges, Mary of Burgundy's chamberlain, who ordered the first French translation by 1470. The translator was a certain Pierre Richart, called L'Oiselet, a priest from Marques (France).<sup>11</sup> As the greatest collector of his time, Louis Gruuthuse supported in Bruges one of the greatest ateliers of illuminated manuscripts by masters such as Loyset Liédet, or the Master of the Dresden Prayer Book, who was in charge of the illumination of this manuscript. The *Forteresse de la foi* suddenly became fashionable at the Burgundian court, where another copy was ordered by Prince Charles de Croy of Chimay, counselor to Maximilian I, in whose territories heresy had flourished.<sup>12</sup> From there, it reached as far as England and France, whose kings Edward IV and Louis XII also acquired manuscripts from the Bruges atelier, among them the *Forteresse* in French.<sup>13</sup> There is also a fragmentary sixteenth-century German summary of the third expulsion of the Jews, as told in the ninth consideration

<sup>10</sup>Karl Schorbach, *Der Straßburger Frühdrucker Johann Mentelin (1458–1478): Studien zu seinem Leben und Werke* (Mainz: Verlag der Gutenberg-Gesellschaft, 1932).

<sup>11</sup>Thomas Kren and Scott McKendrick (eds.), *Illuminating the Renaissance: The Triumph of Flemish Manuscript Painting in Europe* (Los Angeles: J. P. Getty Museum, 2003), 68, 224.

<sup>12</sup>Bibliothèque Royale, Brussels, MS 9007 (cat. 1714). The book was bought by Margaret of Austria for her personal library, and then inherited by Mary of Hungary when she became ruler of the Low Countries.

<sup>13</sup>As witnessed by the copies nowadays at the British Library, Royal 17 F VI-VII and Bibliothèque Nationale de France, MSS Fr. 20067–20069. Three more copies are also extant in the Belgian Royal Library. Another copy is in the Bürger Bibliothek of Bern (only books IV and V), along with the Bibliothèque de Douai and two in the National Library of Vienna, according to Reinhardt and Santiago-Otero, *Biblioteca biblica*, 64. For the Vienna manuscripts, see Paulino Rodríguez Barral, *La imagen del judío en la España medieval: el conflicto entre cristianismo y judaísmo en las artes visuales góticas* (Barcelona: Universidad Autónoma, 2009).

of book III, preserved in Stuttgart.<sup>14</sup> Translation of Espina's work into the vernacular was not undertaken in the Iberian Peninsula, however, where transmission continued in ecclesiastical circles only in Latin. The extra-peninsular distribution of the manuscripts of the *Fortalitium* matches well with those of other inquisitorial manuals such as the *Directorium inquisitorium* of Nicholas Eymeric, whose manuscripts were also mostly produced in central European rather than Iberian regions.<sup>15</sup>

### THE WANING OF THE MANUSCRIPT TRADITION AND THE SPREAD OF *INCUNABULA*

The list of printers who produced the *Fortalitium fidei* after 1470 is really interesting (see Appendix), for it does not include a single edition produced in the Iberian Peninsula despite the existence of workshops in various cities that were sponsored by bishops: Segovia, 1471; Sevilla, 1472; Barcelona and Valencia, 1473; Zaragoza, 1475; Guadalajara, 1476; Tortosa, 1477; Lérida, 1479; in the 1480s also in Salamanca, Valladolid, Zamora, Burgos, Toledo, Murcia, Huete, Coria in Castile, and Gerona, Tarragona and Mallorca in Aragon.<sup>16</sup> One of the most active patrons of printing in Castile had in fact been Juan Arias Dávila, bishop of Segovia, an enemy of Espina's whose family was later tried by the Inquisition after Espina's death.<sup>17</sup> None of these workshops published any edition of the *Fortalitium* that we know of. Iberian libraries had to rely instead on foreign editions, whose interest hinged on different doctrinal issues than the ones discussed in the troubled times of the Catholic Kings.<sup>18</sup> The

<sup>14</sup> Reinhardt and Santiago-Otero, *Biblioteca bíblica*, 64.

<sup>15</sup> The *Directorium* was also less successful in print before its 1575 revision, with only one complete and one partial edition appearing at the turn of the sixteenth century. I thank Robin Vose for this information.

<sup>16</sup> Julián Martín Abad, *Los primeros tiempos de la imprenta en España (c. 1471–1520)* (Madrid: Laberinto, 2003), 46–49.

<sup>17</sup> Martín Abad, *Los primeros tiempos*, 53.

<sup>18</sup> It is clear that these editions, however, reached Castilian monasteries such as the Premonstratensian house in La Vid (Burgos), which had a copy of the Nuremberg edition. Juan José Vallejo Penedo, "Catálogo de los incunables de la biblioteca del monasterio de La Vid," *Religión y cultura* 34, no. 167 (1988): 609–29; Echevarria, *Fortress*, 99. Nowadays, a very useful tool to analyze their distribution is the *Incunabula Short Title Catalogue*, British Library, <https://data.cehl.org/istc/>, that offers exhaustive information about the holdings of each version of the *Fortalitium* printed in the fifteenth century. Unfortunately, sixteenth-century printed books after 1520 are not included in it.

*Fortalitium* became part of the book catalog of prestigious printers who sold to the private and institutional libraries attached to cathedrals and universities, especially to the faculties of Law and Theology. Such was the case with Guillaume Balsarin, who issued the 1487 edition in Lyon. Balsarin, who had been a printer's apprentice in Lyon, started publishing around 1482 in the workshop of Jean Neumeister, as a licensed royal printer (*imprimeur du Roi*). After 1499 he instead became a book dealer. Publishing companies in Lyon were well established, usually using German master printers, and opened branches in Avignon and Toulouse, serving the Iberian Peninsula from the latter. Among their most appreciated products were university books and canon and civil law codes, which were bought for college and private libraries and ended up in cathedral collections in Spain when the bishops who had been scholars or members of the royal chancery endowed them.<sup>19</sup> Copies of the *Fortalitium fidei* were among these, although details are unclear as private library catalogs of canons, professors and bishops often neglect to mention the name of the printer. Inquisitorial treatises—and we argue that the *Fortalitium* was considered one of them—were classified among legal works in these libraries, especially as lawyers were increasingly appointed to the ranks of the Inquisition after 1522.<sup>20</sup> A good example is the 1496 inventory of the library belonging to Luis de Acuña, bishop of Burgos (d. 1495), a famous patron of the arts who owned more than 300 volumes, which shows that he also held a copy of the *Fortalitium*.<sup>21</sup>

The first German editions of the work by Anton Koberger (1485 and 1494) seem directly related to the blood libels that followed alleged ritual murders by Jews in Endingen (1470), Regensburg (1474–1476), and

<sup>19</sup>For the network of Lyonese printers, see Lucien Febvre and Henri-Jean Martin, *La aparición del libro* (México: FCE, 2005), 128–35.

<sup>20</sup>María del Carmen Álvarez Márquez, *Bibliotecas privadas de Sevilla en los inicios de la Edad Moderna* (Madrid: Pórtico, 2014), 106, 110–13, 154, 194, 267 shows the place of this work in inventories of canons', bishops', and lawyers' libraries. Some of them were related to Salamanca University, and therefore familiar with Espina as a scholar, while all bought most of their books from European printers—especially those from Lyon.

<sup>21</sup>“179. Fortaleza de la fee. Dióse al señor D. Diego.” Archive of the Cathedral, Burgos Libro 39/2, fols. 425v–429r, edited by Nicolás López Martínez, “La biblioteca de Don Luis de Acuña en 1496,” *Hispania* 20 (1960): 81–110, at 91 and 104. Since the inventory is written in Spanish, one cannot assume that this is a translation, but rather that the scribe translated the title as he did with all the others. There is no mention of which edition of the text this was, but had it been a manuscript it would have been specified as such (as occurs in other cases in the inventory).

Trent (1475). The 1494 edition printed in Nuremberg was followed by the banning of Jews from that town in 1499. Soyer has argued that this edition was part of a deliberate campaign to foster anti-Jewish sentiment in the town and its region.<sup>22</sup>

For the 1511 Lyon edition (Gueynard), repeated in 1525, the format became more handy for inquisitors, as it was a portable book (371 folios *in quarto*, 17–19 cm), without superfluous decorations. By the time the Spanish Inquisition started to judge the crypto-Islamic practices of *moriscos*—not before 1526, which is indeed late compared to other groups of heretics and religious dissidents—Espina’s *Fortalitium fidei* and Islamic compilations like the *Breviario Sunni* had therefore been available for a long time. They were easy to find, and convenient for use by inquisitors.<sup>23</sup> And they were used. A 1525 edition of the *Fortalitium* in El Escorial shows a card with the name of fray Diego Serrano, a Dominican from the convent of San Pedro Mártir in Toledo, who traveled to the Philippines in 1638 in the same mission as friar Diego de Oropesa (who is also mentioned in a note on the first page of this copy).<sup>24</sup> The smaller Lyon editions, therefore, seem to have been appropriate for personal ownership by members of the clergy, rather than the larger formats of earlier editions intended for libraries of ecclesiastical institutions.<sup>25</sup>

After Metelin’s edition, the *Fortalitium* enjoyed a careful editing process in several phases and in different countries.<sup>26</sup> Most of the corrections

<sup>22</sup> François Soyer, “‘All One in Christ Jesus’: Christian Spiritual Closeness, Genealogical Determinism and the Conversion of Jews to Christianity in Alonso de Espina’s *Fortalitium Fidei* (c.1458–1464),” *Journal of Spanish Cultural Studies* 17, no. 3 (2016): 239–54.

<sup>23</sup> On their use to define the customs of *moriscos*, see Ana Echevarria, “Food as a Custom among Spanish Muslims: from Islamic Sources to Inquisitorial Material,” in *Food and Fasting. Interreligious differentiations, competition and exchange*, ed. Dorothea Weltecke and Markus Stich (Cologne: Böhlau, 2017), 89–110, at 99–100.

<sup>24</sup> BRMSL 7.II.68, fol. 1; cf. Baltasar de Santa Cruz, *Historia de la provincia del Santo Rosario de Filipinas, Iapon y China de la Orden de Predicadores* (Zaragoza: Pasqual Bueno, 1693), 2: 316. The card is marking the practices of Muslims in book IV (fol. 270r).

<sup>25</sup> The diversity of these libraries is shown in the distribution of incunabula depicted in the *Incunabula Short Title Catalogue*. Convents of most mendicant orders in Europe, monasteries, and cathedral libraries all had a copy of this work, from Spain to Sweden and from Poland to Italy.

<sup>26</sup> As shown in the colophon of the Gueynard editions: “Fortalitium fidei quosque religionis christiane adversarios aptissime confutans. Iamdudum in plerisque passibus multipliciter viciatum, nunc vero magna cum diligentia castigatum et fideliter emmendatum, per venerabilem magistrum nostrum Guillelmum Totani, in sacra pagina professorem ordinis predicatorum conventus Lugduni” (fol. 371v in both the 1511 and 1525 editions). Italics are mine.

in the 1471 and 1511 editions only involved editing of Latin inconsistencies (cases, some words, and corrections of “t” or “c” according to the rule followed in the country) and typographic signs. Only the Nuremberg editions went through a process of enlarging and specifying biblical quotes. All the editions printed outside the Iberian Peninsula show inconsistencies in the transcription of Arabic and Spanish words.<sup>27</sup>

Another sign that reveals the relative interest of publishers and readers in the *Fortalitium* is the distribution of images in the book. Obviously, the fine manuscripts intended for court display as rich objects did not convey the same meanings as the other versions, so they will be left aside for the moment.<sup>28</sup> The iconographic cycles in manuscript and print editions intended for a learned, ecclesiastical public are more to the point for our enquiry. As I have shown elsewhere, the irregular distribution of the illuminations in the Burgo de Osma manuscript reveals a different approach to the contents of the *Fortalitium* than the one modern scholars have attributed to Castilian society. Of course, without the original manuscript it would be difficult to know whether this focus was the one that Espina originally intended, or whether it was promoted by Bishop Pedro Montoya and his chaplain master García, together with the illuminator, the so-called Master of Osma, a Jeronimite monk called Spinosa.<sup>29</sup>

The series of illuminations conceived for this manuscript included a magnificent opening, a visual allegory showing the fortress of faith besieged from the outside by heretics who are undermining the foundations, Jews in chains who try to persuade with their words, and devils and witches; it is defended by angels and Christian knights led by a crusader king against an army of Muslims. Inside the castle, the Christian army is ready to defend it, with the pope in the center surrounded by prelates and kings. On the highest tower, which bears the inscription “Tower of strength facing the enemy,” Jesus commands a host of angels who are fighting a parallel war against demons. The rest of the manuscript, however, hardly maintains the balance of illustrations among books. Apart from the opening page depicting the coat of arms of Bishop Pedro de

<sup>27</sup>These changes have been checked in text samples from Burgo de Osma MS 154, BRMSL, 7.I.1 and 7.II.68 and BN Madrid INC/812. From now on, references to the text of the *Fortalitium* are cited from the Burgo de Osma MS 154, the closest to the author’s time.

<sup>28</sup>Some descriptions of these illuminations and their symbolism in Echevarria, *Fortress*, 106–7. Repeated attempts to negotiate the publication of these images have been unsuccessful.

<sup>29</sup>Echevarria, *Fortress*, 107–8.



Osma, and a figure of Mary, illustrations only mark the opening of each book and particularly important moments of the narrative. At the beginning of book II the illuminator shows a council meeting presided over by the pope, where two heretics submit to the authority of the Church.<sup>30</sup> The capital “H” at the *incipit* of book III shows the blind Jews ignoring the teachings of the New Testament.<sup>31</sup> The only other illustration in the same book depicts the desecration of the Holy Host at the end of consideration ten.<sup>32</sup> And then, suddenly, a whole cycle of images about the crusades fought against Muslims appears in book IV, with more than ten illuminations covering one-third of the page and a great number of small figures inserted in the space between columns. These illuminations were connected to miraculous interventions in battle, or especially relevant kings supported by Saint Isidore or Saint James, to crusades sanctioned by the pope, and a few were dedicated to the confrontation against the Turks around Constantinople. The illuminations were left unfinished, perhaps at the time of the bishop’s death, but the spaces left for more images, all in the same book IV, suggest the careful design of a whole iconographic cycle. To the atelier working in Osma, then, fighting Muslims on the eve of war with Granada, and the miracles provoked by this crusade, seems to have been much more important than expulsions of Jews or the miracles performed against their desecrations.<sup>33</sup> At the end of book IV, an unfinished small illustration of several kinds of demons opens the way to the next part. An illustration of Paradise and Hell is introduced when speaking of the place where demons live.<sup>34</sup> Finally, before the final prayer, Espina appears before Christ in majesty to offer him his work.

This cycle was never repeated in the manuscripts or editions produced beyond the Pyrenees. The illustrations designed for the Flemish conventual manuscript mentioned above, probably copied in haste in response to the local spread of heresy, include a rare depiction of Alonso de Espina teaching in a university class full of Franciscan and Dominican friars, and addressing the enemies of the faith as well, while a copyist takes notes of

<sup>30</sup> *Fortalitium*, Burgo de Osma MS 154, fol. 38v.

<sup>31</sup> *Fortalitium*, Burgo de Osma MS 154, fol. 54v.

<sup>32</sup> *Fortalitium*, Burgo de Osma MS 154, fol. 72r.

<sup>33</sup> Echevarria, *Fortress*, 108–9, 117–19; “The Polemic Use of the Crusades in Fifteenth-Century Literature of the Mendicant Orders in Spain,” in *The Crusades: Other Experiences, Alternate Perspectives*, ed. Khalil I. Semaan (Binghamton, NY: Global Academic, 2003), 141–60, at 159.

<sup>34</sup> *Fortalitium*, Burgo de Osma MS 154, fol. 174v.



Fig. 1 Alfonso de Espina, teaching, Bibliothèque Royale de Belgique MS 9524

his lecture (Fig. 1). The second folio of this manuscript presents the heraldry of the work's commissioning patron, and the last great illumination repeats the motif of the assault on the tower, slightly different from the Spanish version, since the king is absent and the Muslims are depicted as

pagans.<sup>35</sup> The illuminations further differ from the Castilian concept, in that only the *incipit* receives decoration; and of course they contrast with the rich manuscripts prepared for Flemish lay patrons.

Printed editions of the *Fortalitium fidei* show similar attitudes toward simplification. In most of them, only the tower is shown at the beginning of the book. Capital letters in several colors appear in exemplars of the Strasbourg edition by Mentelin, before 1471, and the very similar Basel edition in 1475. In the latter, a colored woodcut was included in the *incipit*, after the list of contents (Fig. 2). Exemplars of the first Nuremberg edition also present colored capitals (Fig. 3).

Later on, an *incipit* image alone remained the text's standard adornment despite the improvements of printing, which allowed for more complexities in page layouts and cheaper illustration techniques such as non-colored woodcuts. For instance, in the Lyon 1487 edition, a woodcut showing the tower of faith surrounded by its enemies includes elements of the Turkish influence on Muslim clothes typical of the last years of the fifteenth century. Blind Jews, bourgeois heretics, and demons join them.<sup>36</sup> In the Nuremberg 1494 edition a similar illustration was hand-drawn before the *incipit* of the first book in at least one exemplar. The motif is the general fight against the enemies of faith, as is found in the main manuscripts.

The adjustments made for pocket-books also included a new iconography that made use of the improvements of wooden movable-type printing. The 1511 and 1525 editions designed in Lyon by Jean de Romoys or de Cambrai for the printing press owned by Master Étienne Gueynard had almost the same format and reused some images, sometimes differentiating them by changing colors. Printing in two colors—usually black and red—helped to visualize the different parts of the book but kept the costs lower. Re-using the plates for the illustrations in subsequent editions also helped to save effort and money, though each edition had a different title page. The 1511 cover shows marginal images depicting various figures including some Muslims and Jews, while its central image depicts Espina under Christ's cross with the symbols of martyrdom—instead of the typical image of the tower shown in all the more elaborate forms of

<sup>35</sup> BR MS 9524 from an unknown Benedictine abbey, fols. 1v, 2v, 3r. See footnote 8.

<sup>36</sup> Biblioteca Universidad de Sevilla, fol. 10r. Online in Biblioteca Virtual Cervantes, [http://www.cervantesvirtual.com/obra-visor/fortalitium-fidei%2D%2D6/html/ffc80cca-82b1-11df-acc7-002185ce6064\\_18.htm](http://www.cervantesvirtual.com/obra-visor/fortalitium-fidei%2D%2D6/html/ffc80cca-82b1-11df-acc7-002185ce6064_18.htm). Last checked 30/1/2019.



Fig. 2 Basel edition, 1475, folio 2r

manuscripts. The *incipits* to each subsequent book all follow a similar pattern. The capital letter illustrations each show characters related to the book: thus in the preface there is an angel visiting Abraham's house, while book I has an image of Christ talking to an apostle, book II shows some heretics, book III introduces a Jew (Fig. 5), book IV depicts Jesus talking to three Muslims (Fig. 4), and book V shows Christ talking to an



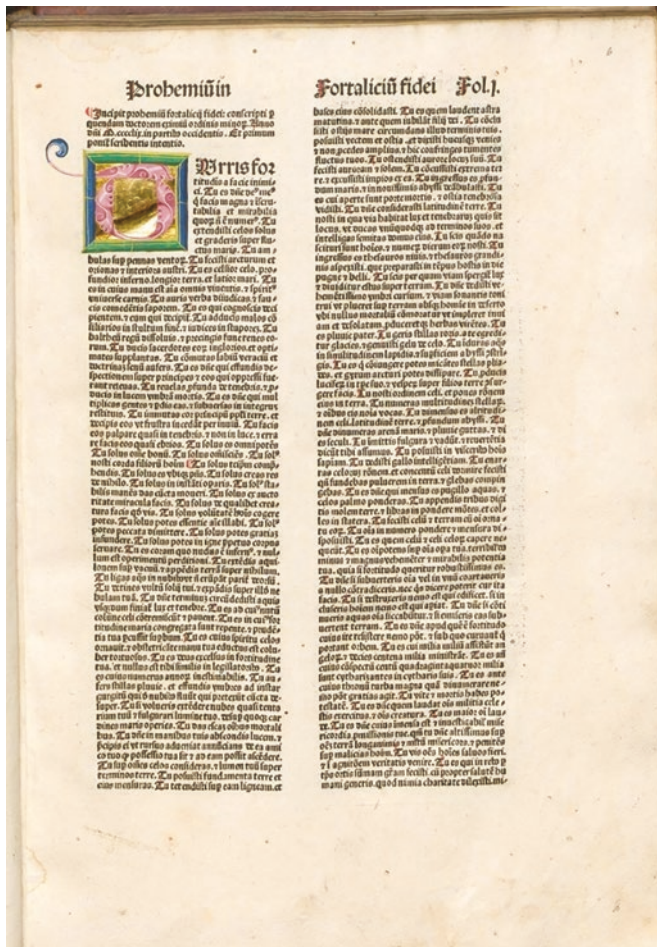


Fig. 3 Nuremberg edition, 1485, folio 1r

astrologer.<sup>37</sup> In the margins of each *incipit* page, various characters drawn from the different books are also featured.

<sup>37</sup> *Fortalium fidei*, Lyon 1511, Universidad Complutense de Madrid copy from the Colegio Menor de la Madre de Dios de la Universidad de Alcalá de Henares, fols. 2r, 3r, 67v, 106r, 240r, 346v. Online <https://babel.hathitrust.org/cgi/pt?id=ucm.5315928103;q1=fortalium%20fidei>. Last checked 31/1/2019.



Fig. 4 Lyon edition, 1511, folio 240r. *Incipit* of book IV

The illustrations vary slightly in the 1525 edition, re-using some of the capital letters but introducing new figures of the Virgin and saints. The varied characters that appeared in the margins in the 1511 edition have here been substituted by four saints, who are repeated in the margins of



Fig. 5 Lyon edition 1525, folio 106r. *Incipit* of book III

the *incipit* of each book.<sup>38</sup> Again, there is not a single graphic indication whatsoever that book III was more important than any other.

<sup>38</sup> *Fortalium fidei*, Lyon 1525, Universidad Complutense de Madrid, the sequence of pages is the same, though the initial foliation is confused (to fol. 9). Online <https://babel.hathitrust.org/cgi/pt?id=ucm.5316865663;view=1up;seq=236>. Last checked 31/1/2019.



Crucial developments in the Catholic Church caused interest in the *Fortalitium* to decline, to the point where after 1525 there was no subsequent edition for over a century. Some changes had to do with the book market, for instance the crisis affecting French publishing companies, especially Catholic ones, whose fortunes declined in competition with companies based in countries that supported the Reformation and therefore were not interested in the same books or authors.<sup>39</sup> Other reasons had to do with the general conditions of interfaith polemics, as perceptions of who constituted “enemies of the Church” had changed. Jews had been expelled from most Catholic countries, and Muslims did not live inside the frontiers of Christendom as before; nor was conversion a plausible remedy for their assimilation. Heresies had taken new forms of division, as the Reformation had shown. After the witch trials in Navarre around 1520, a meeting took place in Granada where the Council of the Inquisition reinterpreted the canon *Episcopi*, accepting new instances of witchcraft that resulted in a new attitude toward witch-hunts and other superstitions. New books about witchcraft were published, developing knowledge about witches and necromancers into a whole science.<sup>40</sup> And finally, the Council of Trent changed the approach of the Catholic Church to faith in general, making Espina’s concerns and ideas obsolete. Another factor was the change in the type of inquisitors, who after 1522 were increasingly appointed from among civil lawyers rather than theologians learned in canon law. This is reflected in differences in the choice of books for their libraries.<sup>41</sup>

But was this decline total? When the Inquisition was authorized to act against *moriscos* on the grounds that they were engaged in crypto-Muslim practices, the pages written by Espina about Muslim habits were still sought for reference. And recently Soyer has shown that Espina’s account of the expulsions of Jews from across different parts of Europe was used by Pedro Aznar Cardona as a justification for the expulsion of the *moriscos* from Spain (1612).<sup>42</sup> His influence was still felt at least until the end of the Austrian Habsburg dynasty and their religious policies in Spain. Finally, the revival of Spanish and Portuguese Inquisition activities around 1630 may explain the appearance of one last edition of the *Fortalitium* in Lyon

<sup>39</sup> Febvre and Martin, *La aparición*, 223.

<sup>40</sup> Cavallero, *Los enemigos*, 324–25.

<sup>41</sup> Álvarez Márquez, *Bibliotecas*, 113.

<sup>42</sup> Soyer, “All one in Christ Jesus?” 244.

(1629), as a resource for dealing with Portuguese judeo-converts who formed the People of the Nation and were seen to “threaten” global trade in the joint empire as allies of the Dutch.<sup>43</sup>

### THE USE OF THE *FORTALITIUM* AS AN INQUISITORIAL MANUAL IN CASTILE

For many years scholars have argued that Espina observed and described heresies he encountered in real life in his *Fortalitium*. The next step was to propose a plan to eradicate the different deviations that he had observed, and his efforts brought him together with Alonso de Oropesa, general of the Jeronimites, for one of the best-known episodes in his life. Soon, the methods followed by the more radical Franciscan and the relatively moderate Jeronimites diverged, as the first heresy enquiries under Enrique IV clearly showed.<sup>44</sup> Nevertheless, with the introduction of the new Spanish Inquisition in 1478, a new hierarchy was sanctioned: Sixtus IV gave the king and queen the prerogative to appoint inquisitors on the same level as the usual pontifical representatives, appointed by the bishops. This measure started an inordinate chain of appointments and revocations of the original bull, and a lack of guidelines for those who had to take care of the proceedings.<sup>45</sup> For a long time, at least until 1507, when the Inquisition was divided between Aragon and Castile, the two bodies coexisted, and there was an open confrontation between King Fernando and the pope about the ways in which the bulls should be implemented, and inquisitors appointed.

This is the period, the 1470s and 1480s, when the first four editions of the *Fortalitium* appeared in Europe (Strasbourg, Basel, Nuremberg and

<sup>43</sup> See the article by Gretchen Starr-Le Beau in this volume.

<sup>44</sup> Yitzhak Baer, *Historia de los judíos en la España cristiana* (Barcelona: Ríopiedras, 1998), 719–25; Haim Beinart, *Los conversos ante el tribunal de la Inquisición* (Barcelona: Ríopiedras, 1983), 19–31; Stefania Pastore, *Una herejía española. Conversos, alumbrados e Inquisición* (Madrid: Marcial Pons, 2010), 49–51.

<sup>45</sup> For this troublesome period, see José Martínez Millán, “La formación de las estructuras inquisitoriales: 1478–1520,” *Hispania* 153 (1983): 23–64, especially 28–32; Rafael Narbona Vizcaíno, “La introducción de la Inquisición en las ciudades de Castilla y de la Corona de Aragón,” in *Tolerancia y fundamentalismos en la Historia*, ed. Francisco Javier Lorenzo Pinar (Salamanca: Universidad de Salamanca, 2007), 53–98; Manuel Ruzafa, “Mudéjares, conversos e Inquisición en la Valencia del siglo XV,” in *En el primer siglo de la Inquisición española*, ed. José María Cruselles Gómez (Valencia: Universidad de Valencia, 2013), 43–63.

Lyon), and the fact that Spanish inquisitorial organization and procedures were just being established was fundamental for its choice as a *vade mecum* for inquisitorial reference. In principle, there was no limitation forbidding the edition of a particular title by several publishers at the same time. On the contrary, they preferred to publish well-known texts that could guarantee enough sales to keep the business going and thereby subsidize other prints for more specialized audiences.<sup>46</sup> The question is whether the *Fortalitium* fell in one or the other category of books. Four different publishers in three European countries with different distribution networks over sixteen years, suggests a high interest in this work, and it is therefore necessary to look for sponsors or clients of these editions beyond the ones identified so far in this article.

Once the territorial organization of the Inquisition was completed by Francisco Ximenez de Cisneros (from 1507 to 1511), the book took on a new potential usefulness. It was no longer simply a description of the heresies of current times by a preacher who could inspire masses, but rather a starting point for defining heretical behavior that could benefit members of inquisitorial tribunals. For a start, Espina had collected accusations that were drawn against a number of heresies, but with a specific focus on crypto-Judaism. From there, it was easy to continue along the same path and extend other chapters of the book to other groups that needed correction in the eyes of the inquisitors. Even more importantly, Espina collected one of the first catalogs of what Remie Constable has called a “broad set of activities, described as ‘customs’, ‘superstitions’, ‘ceremonies’, and ‘rites’ that they saw as characteristic” of the life of the “Others,” going beyond the canonical requirements of these groups, be they Jews, Muslims, or groups of established heretics.<sup>47</sup> The jump from a local dissemination of manuscripts copied in monastic and cathedral scriptoria to regular editions issuing from the most important printers of Christianity indicates its widespread popularity and marks a potential change in how the *Fortalitium* was likely used, with multiple editions continuing to be distributed from Lyon after 1500 (with just one exception, Carmagnola 1522).

As Vose puts it, “The key is to know *which* manual or other set of documents should be consulted as the most relevant historical witness to

<sup>46</sup> Febvre and Martin, *La aparición*, 280.

<sup>47</sup> In Spanish, “costumbres, supersticiones, ceremonias y ritos.” Olivia Remie Constable, *To Live Like a Moor: Christian Perceptions of Muslim Identity in Medieval and Early Modern Spain*, ed. Robin Vose (Philadelphia: University of Pennsylvania Press, 2018), 2.

inquisitorial procedure in a particular setting. The fact is that there was no standard manual for inquisitors in the Middle Ages, and standardization remained an elusive goal throughout the history of Spanish and other early modern inquisitions.”<sup>48</sup> Inquisitors had a background training in theology and/or canon law provided by the schools of the mendicant Orders or the universities they had attended. In the case of Espina, who was not an inquisitor, but certainly a promoter of inquisitorial practices in Castile, his training had taken place at the Franciscan school in Salamanca, and at Salamanca’s university, where he is supposed to have taught at an early point in his career. The libraries in this university, especially the College of St. Bartholomew,<sup>49</sup> and in the Franciscan and Dominican houses therein, as well as in the same institutions in Valladolid, must have provided a great deal of the early information for inquisitors in Castile. But in general, inquisitorial work and the consultation of books to prepare accusations in the last years of the fifteenth century, when the institution was not yet fully established, must have varied depending on working conditions. Some of the manuals and materials available during the later flourishing of inquisitorial work in Spain were not easily available in the early stages of this institution. For instance, the famous manuals by Dominicans Bernard Gui (ca. 1260–1331) and Nicholas Eymeric (ca. 1330–1399) seem to have been very little known even within the Dominican Order until the sixteenth century. Eymeric’s *Directorium Inquisitorum* was printed for the first time in a partial edition at Seville by Stanislaus Polonus around 1500, and in a more complete version at Barcelona (1503), when the  *Fortalitium* had already six editions.<sup>50</sup> I suggest that the  *Fortalitium* should join the group of texts such as Eymeric’s  *Directorium*, Gonzalo de

<sup>48</sup> Robin Vose, “Introduction to inquisitorial manuals,” *Hesburgh Libraries of Notre Dame, Department of Rare Books and Special Collections*. University of Notre Dame, 2010, [https://inquisition.library.nd.edu/genre/RBSC-INQ:Inquisitorial\\_manuals/essays/RBSC-INQ:ESSAY\\_InquisitorialManuals](https://inquisition.library.nd.edu/genre/RBSC-INQ:Inquisitorial_manuals/essays/RBSC-INQ:ESSAY_InquisitorialManuals). Last checked 31/1/2019.

<sup>49</sup> Much recent research on the fourteenth and fifteenth centuries in *La corónica: A Journal of Medieval Hispanic Languages, Literatures & Cultures* 33, no. 1 (2005) (monographic issue on Alfonso Fernández de Madrigal, El Tostado); José María Monsalvo Antón, “Impulso institucional e intelectual del estudio, c. 1380–c. 1480,” in *La Universidad de Salamanca, 800 años*, ed. Luis Enrique Rodríguez-San Pedro Bezares (Salamanca: Universidad de Salamanca, 2018), 51–108.

<sup>50</sup> Nicholas Eymeric, *Directorium inquisitorum* (Barcelona: Johannes Luschner, 1503). Vose, “Introduction.” The Seville edition, entitled *Suma utilissima errorum & heresum*, includes only the first 25 (of 58) *quaestiones* from part 2 of the *Directorium*. Gui’s *Practica inquisitionis heretice pravitatis* was not published until 1886 (edited by Célestin Douais,

Villadiego's *Tractatus contra haeretica pravitatem* (seven reprints after 1483), or Miguel Alberto's *Repertorium perutile de pravitare haereticorum* (Valencia, 1494) as one of the first manuals used by inquisitors.

As to why inquisitors would choose Espina's book as a reference text, Vose suggests that they needed to strengthen the underlying theological justification for their prosecutions and their legal authority. At the same time they had to identify the various and often subtle types of heretical or otherwise sinful behavior which fell under their jurisdiction, in order to construct the different parts of the trial: accusation, questioning, and sentencing. In the early days of the Spanish Inquisition there was no comprehensive set of procedural guidelines until the appearance of Torquemada's *Instrucciones* (1484), and even these contained little information about the internal procedure to be followed by the inquisitor when he was preparing public sessions. Following his advice that questioning should come after voluntary confession and an oath, Torquemada's advice on how to organize a questionnaire was brief:

And ask him of the time in which he Judaized, and erred in faith; and how long it has been since he abandoned the false belief, and repented of it; and how long since he gave up keeping the said ceremonies. And ask him of certain circumstances concerning what had been confessed, so that the said inquisitors should know whether the said confessions are truthful; especially ask them what prayer they used, and where, and with whom they gathered to hear preaching on the law of Moses.<sup>51</sup>

For the rest of the procedure, the inquisitor was mostly on his own. And this is where Espina, with his encyclopedic compilation of anti-Christian "Others," could be helpful.

The first task was the training of inquisitors to identify a number of theological deviations that might become taxonomies of heresies to be applied immediately when a trial was started. The conciliar statutes and

Paris: Alphonse Picard), though a manuscript copy was catalogued by the Spanish Inquisition at Madrid early in the eighteenth century (now British Library Egerton MS 1897).

<sup>51</sup> "E preguntente del tiempo que judaizó, y tuvo error en la fe; y quanto ha que se apartó de la falsa creencia, y se arrepintió della; y de que tiempo acá dexo de guardar las dichas ceremonias. E pregúntele algunas circunstancias cerca de lo confessado, para que conoxcan los dichos inquisidores, si las tales confesiones son verdaderas, especialmente les pregunten la oración que rezan, y adonde, y con quien se ajuntauan a oír predicación cerca de la ley de Moysen." Tomás de Torquemada, *Copilación de las instrucciones del Oficio de la santa Inquisición* (Madrid: Imprenta Real, 1630), fols. 3v–4r.

the *Ordo processus narbonensis* set out a certain discipline for the studying, identification, and policing of heretics.<sup>52</sup> The Council of Tarragona (1242) maps out a system of categorization for heretical transgression, divided into eleven categories, drawing on what was established in previous councils, but this time focusing on the Waldensians. This established a system for distributing people among the categories, based on the extent and quality of the actions they had performed, and assigned penances that represent these categorized identities.

The Inquisition thus developed a particular field of knowledge about heresy: divisions between types of heresy, behavior expected of those in contact with heresy, and theories of heretical transmission. The knowledge constructed within inquisitorial discourse carries assumptions about the distribution of elements, theories of causation, and modes of interpretation, that are particular to their historical context, and seen by the experts or knowing subjects (inquisitors), but also sanctioned by the passive objects of examination, the deponents.<sup>53</sup>

The first use of the  *Fortalitium*  for inquisitorial purposes would have been for further categorization and typification of religious dissent. And the first place where it was likely useful in this respect was in the duchy of Burgundy, where heretical movements were being defined in the late fifteenth century, as previously seen. Two trends in the categorization of these groups can be observed in the kind of works used for reference: some inquisitors considered the heretics to be Waldensians (Vaudois), while others preferred the accusation of witchcraft. On the one hand, literature on demons and witches was being profusely distributed in the monasteries—mostly Premonstratensian—where Espina’s work was copied. The Louvain professor Zomerem had a copy of Nicholas Eymeric’s *De invocatione demonum* in his private collection, along with the *Flagellum haereticorum fascinariorum* of a Dominican named Nicholas Jacquier (who had himself been involved in the repression of heresy in Arras, Lille, and Tournai), and a treatise entitled *De calcatione demonum*. The effort to depict witches as Waldensians is reflected in the transmission of the work of other theologians such as Jean Tinctor, a native of the heresy-dense area of Tournai, author of sermons and a treatise now extant in the library of

<sup>52</sup> John H. Arnold, “Inquisition, Texts and Discourse,” in *Texts and the repression of medieval heresy*, ed. Caterina Bruschi and Peter Biller (Woodbridge: York Medieval Press, 2003), 63–80, at 68.

<sup>53</sup> Arnold, “Inquisition, Texts,” 68–69.

the abbey of Parc: the *Speculatio in secta Valdensium* or *Sermo contra secta vaudiensium* (1460).<sup>54</sup> Of all these works, the *Fortalitium* was the only one to cover both heresies and witchcraft at the same time, a fact that may account for its popularity.

It is obvious that in the Iberian context, Waldensians at least were far from being a major preoccupation. Jewish and Muslim converts, and their faithfulness after conversion, were instead favorite topics of inquisitorial enquiry. The structure of the *Fortalitium* itself made it easy to search for such information. The catalog of heresies starts in book II, consideration six, which explains how many kinds of Christians were now reinvigorating old heresies: in the first place, those who sought circumcision, who said the Gospels were false, who denied that confession could wash sin away or that it should be performed in the Church with a priest, and also those who claimed that only God should be obeyed but not prelates. Other heresies despised the orders of the Church and the sacraments, indulgences, or the efficacy of prayers for the dead. The denial of purgatory and the afterlife was considered heretical as well.<sup>55</sup>

The same effort to establish categories and to relate Judaism with the aforementioned heresies is shown in book III, consideration six. Here Espina dealt with heresies that were practiced under cover, arguing that dissimulation could sometimes be more dangerous than overt criticism of the Church. These included not just circumcision, but considering the Gospels as false, reviling confession, disobeying bishops and prelates or questioning their prerogatives, issues about the validity of prayer, and specific prayers for the dead. He also considers more doctrinal aspects, such as errors about the existence of purgatory, those who deny the soul's immortality and resurrection, and finally predestination.<sup>56</sup> Consideration seven, where Espina mentions the "cruelties" of the Jews, provided further material for trials, as will be analyzed later.

A list of comparisons between Islamic doctrine and different Christian heresies was drawn in book IV, consideration three, which addresses a number of doctrinal differences that made Muslims into just another kind

<sup>54</sup> Émile Van Balbergue and Jean-François Gilmont, "Les théologiens et la vauderie au XVe siècle," in *Miscellanea codicologica F. Masai dicata*, ed. Pierre Cockshaw et al. (Ghent: Story-Scientia, 1979), 393–411, at 394–7. More recently, Franck Mercier, *La Vauderie d'Arras. Une chasse aux sorcières à l'automne du Moyen Âge* (Rennes: Presses Universitaires de Rennes, 2006).

<sup>55</sup> *Fortalitium*, Burgo de Osma MS 154, fols. 41r–42v, cit. Cavallero, *Los enemigos*, 166–67.

<sup>56</sup> *Fortalitium*, Burgo de Osma MS 154, fols. 44v–52v, cit. Cavallero, *Los enemigos*, 169–76.



of heretics—like Jews (in book III, considerations five and six) and Christian heretics (book II, consideration six):

On the errors of Muhammad's law.

The second step shows the errors of Muhammad's law. Whence all the old dregs which the devil had disseminated were collected and renewed by him in Muhammad and his law. For he denied with Sabellius the Trinity of persons in God.

Second, he taught that Christ was a plain creature, like Arius. Whence Sergius the monk, who was Muhammad's teacher, as has been said, was an Arian heretic.

Third, he said that the Jews didn't kill Christ but someone resembling Him, and in that he agrees with Manicheus.

Fourth, he said that God called Christ to Him but He will appear in the end of the world and kill the Antichrist, and afterwards God will make him die. And because he denied Christ's Passion, he denies all the Sacraments of the Church which assumed their efficacy from Christ's Passion, and in this he agrees with the Donatist heretics.

Fifth, he said that the demons could be saved by the Qur'an and that, once they heard the Qur'an, many of them became Saracens, and in this he imitated Origen, who said that even the devils would be saved.

Sixth, he said that when God sent Gabriel to him, he travelled to God and God laid his hands upon him, and he felt such a coldness from the touch of God's hands on his shoulders that the cold came to the spinal marrow, and in this he agreed with Acromoforts (sic), who make God corporeal.

Seventh, he said that the Holy Spirit is a creature and in this he agrees with Macedonius.

Eighth, he said that some angels were made demons because they didn't want to adore Adam, and in this he imitated nobody.

Ninth, he stated that the last human beatitude is eating, having intercourse and precious clothes and watered gardens, and in this he agrees with the heretic Cherintus and with other pagans.

Tenth, he asserted in the chapter of the Table Spread that his family was worth nothing if they did not comply with the Law, the Gospels and the Book revealed to him—namely the Qur'an—and so he taught the people to behave like Jews, and also taught that circumcision should be made, and in this he agrees with Vierne the heretic.

Eleventh, he taught to take indiscriminately others' wives, and in this he is seen to agree with the Nicholaite heretics.

Twelfth, he taught that having several wives was permitted, against the Apostle, I Corinthians 7 and against the perfect constitution of natural law:

'They were two in one flesh' (Genesis 2). And in this he agrees with the Nazarite heretics who allow in their new law an article on several wives.

Thirteenth, he prescribed the use of ablutions instead of baptism for the remission of sins, against the Apostle to the Ephesians, 4: 'One faith, one baptism', and in this he agrees with the Novatist and Donatist heretics who repeat baptism.

Fourteenth, he taught that sodomy was allowed both with men or women, as stated in the Qur'an, chapter of the Cow, and in this he agrees with the sodomite heretics, although the Saracens conceal this with some honest arguments.

This was Muhammad's complete intention, for namely he extinguished what was ardent in belief and what was difficult to operate, and he conceded the common and worldly things men are inclined to, especially the Arabs, that is gluttony, lust and plunder, while on the virtues like humility or patience, peace, abstinence, or love of God and the neighbors, or the last day, he said nothing remarkable.

And because from all this we can seize his falsehood and wickedness, both by the New and Old Testaments, as by the foresaid philosophers who treated the virtues and the last day of man, he ordered everybody not to believe anything because it was opposed to his law, so whoever believed something else would be killed.<sup>57</sup>

Finally, book V shows the activities of demons on earth (paralleling the kinds of heresies in book II, consideration six; the cruelties of Jews in book III, consideration seven; and the wars of Muslims in book IV, consideration nine). The catalog of demons contained in consideration ten would be vital for the work of some inquisitors.<sup>58</sup> Espina describes ten types of demons who act in different ways: the fate (*fatum*) that is breathed into a child's soul, home goblins, *incubi* and *succubi*, demons in the form of great armies, spirits who appear in banquets, demons who appear in dreams, spirits procreated by man and woman, demons in human shape, impure spirits hosted by creatures, demons who inspire witches, and demons who worked as servants.<sup>59</sup>

<sup>57</sup> *Fortalitium*, Burgo de Osma MS 154, fol. 119r; author's translation.

<sup>58</sup> Cavallero, *Los enemigos*, 279–88, 314, about connections between demons and Jews, 328. See also Constanza Cavallero, "La dimensión política de la demonología cristiana en el *Fortalitium Fidei* de Alonso de Espina (Castilla, siglo XV): 'A facie inimici'," *Edad Media: revista de historia* 13 (2012) (Ejemplar dedicado a: La comunicación política en la Edad Media): 209–39. However, she fails to realize the importance of the taxonomy of demons for future inquisitorial work.

<sup>59</sup> *Fortalitium*, Burgo de Osma MS 154, fols. 184r–185.

Another aspect of inquisitorial knowledge is the way in which it orders and distributes belief. An initial interrogation could be opened by a summary of transgressive statements, proposed as erroneous theological propositions.<sup>60</sup> For such a statement, Espina provided a number of considerations where the doctrinal principles of Judaism, Islam, and certain heresies were examined, and then another set of considerations about the challenges or arguments used by these groups against the Christian faith, either taken from their own scriptures, or from the Bible. A quick look at these chapters would provide an inquisitor with enough doctrinal arguments to refute the attacks of any member of the other religions. From the first book, Espina shows a special interest in the creed, to the point that he devotes one chapter in each book to this subject, seen from different perspectives. In book I, consideration three, he established what should be believed in thirteen propositions. In the following books, the Christian creed was analyzed from the perspective of the other faiths, and all the arguments about dogma were answered for the priests who had to engage with Jews and Muslims in discussions or sermons.

Exchange at all levels in social interaction between Christians and converts, and Christians and members of other creeds, was signaled as one of the greatest dangers for the welfare of the community. Conviviality and informal exchanges were banned in royal ordinances, as Espina recalled in book III, consideration eleven, and again in his explanations about what Muslims should be forbidden to do.<sup>61</sup> Recognizing practices and rites characteristic of their former faith was a particularly important way to identify religious dissidence among crypto-converts and to prevent its spread. Socio-religious habits of other religions thus became one of the proofs of heresy, and an easy one to check from the depositions of witnesses. Therefore, questions could be designed using the description of ritual practices described by treatises. For instance, in book II, consideration three, Espina presents six ways in which the inquisitor might guess who was a heretic, and argues as to which of the behaviors of the different heresies constituted real harm to the Christian Church.<sup>62</sup>

Later on, in book IV, consideration five, under the title “On the concordance and discordance of Muhammad’s law with the law of Christ in matters of faith” (*De concordia et discordia legis Machometi cum lege Christi*

<sup>60</sup> Arnold, “Inquisition, Texts,” 75.

<sup>61</sup> Echevarria, “Food as a Custom,” 93–96.

<sup>62</sup> *Fortalitim*, Burgo de Osma MS 154, fols. 39r–40v. Cavallero, *Los enemigos*, 255–57.

*in articulis fidei*), Espina carefully describes all the traits of Islamic practice, which had been communicated to him orally by someone who knew them well. He describes the five pillars of Islam, first, and then *jihād*, food prohibitions, number of wives, degrees of forbidden marriage with relatives, the observation of Friday and the direction of prayers, judgment, wine abstinence, inheritance practices, as well as rules for testimony and witnesses, the prohibition of disputation with non-Muslims, and finally—but not least—circumcision.<sup>63</sup> By stressing these differences, Espina gave the inquisitors a guide to forbidden practices among converts, and an easy way to identify crypto-Islamic practices which could then be compared and contrasted with translations from Islamic sources such as the *Breviario sunni* by Iça of Segovia, and completed by observation, that is, through the testimonies of witnesses. Such mundane details as the contents of a cooking pot became, in this way, vital for accusations of heresy. This definition of the basic tenets of Islam has no parallel in the book concerning Jews, which is conceived as a doctrinal confrontation about their refusal to accept Christianity rather than a description of their own precepts. Such a difference of approach is understandable when we think of the differences between the Christian traditions of anti-Muslim and anti-Jewish polemics.

A similar chapter, though, exists in book V, consideration two concerning the science of demons, and the magic arts. Definitions of all the types of divination are included in the second part of the chapter, including the different methods involved—necromancy, pyromancy, aeromancy, hydro-mancy, geomancy, and palmistry—all of which Espina called magical spells, and whose criminal value he stressed.<sup>64</sup>

All this basic knowledge would serve inquisitors in several stages of the trial process, but it is in writing of accusations and the construction of interrogations where the *Fortalitium* would have been especially valuable as an inquisitorial manual. Only a comparative study of the *Fortalitium*'s influence on early judicial proceedings against, for instance, sodomites, Judeo-converts, *moriscos*, and sorcerers, however, can fully disclose its actual use by inquisitors. Three parts of the proceedings should be examined: inquiries,<sup>65</sup> accusations, and finally, the questions asked of witnesses

<sup>63</sup> *Fortalitium*, Burgo de Osma MS 154, fols. 131v–132v.

<sup>64</sup> *Fortalitium*, Burgo de Osma MS 154, fol. 145.

<sup>65</sup> Studied by José María Monsalvo Antón, "Herejía conversa y contestación religiosa a fines de la Edad Media. Las denuncias a la Inquisición," *Studia Historica-Historia Medieval* 2, no. 2 (1984): 109–39, but without checking for the influence of any previous sources in

during the trial. How the inquisitors directed depositions in subsequent questionings, by means of arguments built up with the help of treatises, should especially be examined. For this construction of a discourse to be effectively imposed on and often embraced by deponents, it was necessary to create well-grounded questions based on information that the inquisitor had been able to gather in previous research about the heresy involved. The opening summary of the accusation was also a document where some argument built up by the inquisitors could be produced.<sup>66</sup>

We have already seen that the *Fortalitium* was known to Burgundian inquisitors by the 1470s, but there can be little doubt that the early Spanish inquisitors also knew of Espina and his work. His profile called precisely for the attention of inquisitors. The episode of his letter to the general of the Jeronimite Order, Alonso de Oropesa, about the disorders of the realm in 1461, after attending two chapters of the Franciscan Order, shows the same concerns as the *Fortalitium*.<sup>67</sup> The king gave his approval willingly to their joint proposal for an inquisition in the realm. Soon after, friar Hernando de la Plaza and Espina insisted that they had proofs of the circumcision of one hundred converts, which the king immediately requested. As these proofs were never forthcoming, the case was suspended; but it remained in the imagination of the subjects of the king of Castile. It was his sermons during a preaching journey around Segovia, however, about the need to establish an inquisition of heretics and sodomites—sodomy being a practice whose origins he attributed to Jews—which most impressed his contemporaries. At least this is what the testimony of Antonio Sánchez de Lozoya, public notary of Segovia, suggested during the 1490 trial against the Arias Dávila family, who were accused both of Judaizing and of having murdered Espina years before.<sup>68</sup> The mention of Espina in such a renowned trial might have called the

the construction of the interrogation, or the types of errors detected: the practice of Jewish rites, superstitions and heresies, blasphemy, and skeptical pronouncements.

<sup>66</sup>Arnold, "Inquisition, Texts," 69.

<sup>67</sup>Diego Enríquez del Castillo, *Crónica de Enrique IV*, ed. Aurelio Sánchez Marín (Valladolid: Universidad de Valladolid, 1994), 61; cit. Baer, *Historia de los judíos*, 724–25; Meyuhas Ginio, *La forteresse*, 63–64; Echevarria, *Fortress of Faith*, 54.

<sup>68</sup>Carlos Carrete Parrondo (ed.), *Los judeoconversos de Almazán (1501–1505)*, vol. 4 of *Fontes Iudaeorum Regni Castellae* (Salamanca: Universidad Pontificia, 1986), 33, 79–80, 145–46. Alisa Meyuhas Ginio, *De bello iudaeorum, fray Alonso de Espina y su Fortalitium fidei*, vol. 8 of *Fontes Iudaeorum Regni Castellae* (Salamanca: Universidad Pontificia, 1998), 219–20. Espina is believed to have died between 1461 and 1464.

attention of lawyers and inquisitors to the usefulness of such a work in their field of competence, far from the mere sermons that a Franciscan was bound to inspire. We should not forget that the Dominican convent of Santa Cruz, home to Tomás de Torquemada himself, was not far from the Franciscan house where Espina had lived and fought for the reform of the Franciscans, the convent of San Antonio el Real.

One of the clearest cases where Espina's treatise was definitely used to build up the accusation and the questions for interrogation was the 1490–1491 trial of the “Holy Child of La Guardia,” a ritual murder allegation that has been recalled in nearly every book written about anti-Semitism in the past century. This is not the place to repeat the story of this blood libel; what is of interest here is Baer's statement that the accusation for this trial was written following the lines of the *Fortalitium*.<sup>69</sup> Not only do some of the questions posed to the witnesses, as collected in the records edited by Flórez, align with basic points suggested by Torquemada in his *Instrucciones*; witness depositions also follow a discourse based on episodes recounted by Espina in his consideration about the “cruelties of the Jews.”<sup>70</sup>

The atmosphere in Ávila was certainly charged with anti-Jewish propaganda at this time, and the *Fortalitium* must have been a contributing factor. And at least two members of the tribunal would have been especially prone to follow Espina's ideas. First there was the prosecutor, bachelor Alonso de Guevara, related to Torquemada's circle, who appears both in the trial of the Child of La Guardia at Ávila and in the enquiry about the Cuenca amulet studied by Gutwirth.<sup>71</sup> More importantly, the inquisitor of the province and see of Ávila was Fernando de Santo Domingo, a Dominican preacher from the Segovia convent of Santa Cruz. Trusted by Torquemada for his inquisitorial endeavors, Fray Fernando had also

<sup>69</sup>Baer, *Historia de los judíos*, 829–49, at 833. See also the article by Teófilo Ruiz in this volume, for more bibliography and the consequences of this trial.

<sup>70</sup>Fidel Fita, “La verdad sobre el martirio del santo niño de la guardia, ó sea el proceso y quema (16 Noviembre, 1491) del judío Jucé Franco en Ávila,” *Boletín de la Real Academia de la Historia* 11 (1887): 7–134, here 81–88.

<sup>71</sup>Eleazar Gutwirth, “Casta, classe i màgia: bruixes i amulets entre els jueus espanyols del segle xv,” in *La Càbala: curs*, ed. Ron Barkai et al. (Barcelona: Fundació Caixa de Pensions, 1989), 85–99 and “The Cuenca Amulet: History, Magic, and Manuscripts,” *Sefarad* 74, no. 2 (2014): 453–63, at 455. He is also mentioned in Juan Antonio Llorente, *Anales de la Inquisición de España* (Madrid: Ibarra, 1812), 1: 252, on May 24, 1499, when he was appointed inquisitor for the bishopric of Cádiz and part of Jerez de la Frontera.

written the prologue to an anti-Jewish pamphlet entitled *Censura et confutatio libri Talmud*, composed by Antonio de Ávila and another friar from Santa Cruz, at the request of inquisitors from the see of Segovia.<sup>72</sup> After the trial of the Arias Dávila family, it was this same inquisitor who would carefully assemble the testimony relating to the Niño de La Guardia case.<sup>73</sup>

## CONCLUSION

Changes in Castilian society and, more generally, in the Spanish monarchy, marked a series of new ways to differentiate religion and custom. The use of polemical literature in the re-definition of religious otherness during the fifteenth and sixteenth centuries explains the diffusion of the  *Fortalitium fidei*  and its contents. The depiction of “the Other” in the book, inherited from a long period of cohabitation—as Alonso de Madrigal, another figure of the time, used to call it—in the Iberian Peninsula, helped to develop common instruments to dismantle a number of religious dissidences. These could be inter-religious or across different religions, but their mere existence was believed to be dangerous for the Christian community at the end of the fifteenth century—and not just in the Iberian Peninsula. This article has shown that the editorial success of the  *Fortalitium*  can only be explained if it was used as a manual for inquisitors working in a wide variety of contexts. More work is now needed to assess the real impact of the  *Fortalitium*  as a theoretical manual in the practical trials of witches, sodomites, skeptics, and  *moriscos*  until the 1550s at least, in order to place the work in perspective, and to demonstrate its role in the development of national, regional, and religious identities in the new early modern world order.

<sup>72</sup> Isidore Loeb, Heinrich Graetz, Fidel Fita, “La Inquisición de Torquemada. Secretos íntimos,”  *Boletín de la Real Academia de la Historia*  23 (1893): 369–434, at 391; Nicolás López Martínez,  *Los judaizantes castellanos y la Inquisición*  (Burgos: Seminario Metropolitano de Burgos, 1954), 269; Joseph Pérez,  *Los judíos en España*  (Madrid: Marcial Pons, 2009), 185–86; Luis Suárez Fernández,  *La expulsión de los judíos. Un problema europeo*  (Barcelona: Ariel, 2012), 404–7.

<sup>73</sup> Adriano Duque, “Staging Martyrdom in the Trial of  *El Niño de la Guardia* ,”  *Journal of Medieval Iberian Studies*  10, no. 1 (2018): 88–105; Rosa Vidal Doval, “Modelos de asesinato ritual: La influencia de  *Fortalitium fidei*  en el caso del Santo Niño de La Guardia,” in  *Comunicación y conflicto en la cultura política peninsular (Siglos XIII al XV)* , ed. José Manuel Nieto Soria and Óscar Villaroel González (Madrid: Sílex, 2018), 169–88.



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## APPENDIX: MANUSCRIPTS AND *INCUNABULA* OF THE *FORTALITIUM FIDEI*

### MANUSCRIPTS

- MS Burgo de Osma Cathedral, 154 (1468)
- MS Magdeburg, Dom-Gymnasium, 228 (1471—lost)
- MS Bibliothèque Royale Albert I, Brussels (BR)—Latin 156–157 (1470–1480)
- MS BR—Latin 7497 (around 1470)
- MS BR—Latin 9524 (1470–1480)
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PART II

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## Interfaith Relationships



# A Global “Infection” of Judaizing: Investigations of Portuguese New Jews and New Christians in the 1630s and 1640s

*Gretchen Starr-LeBeau*

In 1637, Diego de Cisneros, a cleric and jurist living in Rouen, France, wrote to King Philip IV of Spain. His missive, which spans almost thirty pages, deals with an issue of utmost concern to the expatriate clergyman: the worldwide threat posed by what he calls New Jews, by which he means baptized Christians of Portuguese Jewish descent who retained an affinity for or commitment to Judaism. He writes: “With horrific cruelty and evil-doing, the Jews have continued their persecution in all the provinces of the world, provoking Christians to a common defense, uniting all the nations of the faithful against the perfidious nation of the Jews.”<sup>1</sup> Indeed, he added that “just when Spain thought itself purged of Judaism, rich,

<sup>1</sup>Diego de Cisneros, *Memorial*, British Library, Egerton 343, fol. 252r. The Egerton 343 manuscript is a miscellany including a variety of published and unpublished Spanish materi-

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free, and mistress of the world, it finds itself infected by this plague, poor, and subject to innumerable tyrannies.”<sup>2</sup> Cisneros was not alone in his perception of the dangers posed by New Jews (also known as *conversos*) as a distinctly global threat. From Madrid to Manila, and from Lisbon to Lima, people in the 1630s echoed the fears of this priest based in northern France. In fact, it seems that the 1630s were a period of particular concern for Christians about the threat which New Jews posed to the well-being of the Iberian empires. This anxiety reflected an increasing awareness of the presence of the people of *la Nação*, “the Nation,” at the center of political and economic life throughout the Iberian empires. Yet that awareness carried with it a perception of risk that Portuguese *conversos* were also a people with an intertwined and inherently dangerous political, economic, and religious identity—one that threatened the divine favor bestowed on the combined Spanish and Portuguese empires.

I contend that as the combined Spanish and Portuguese empires drifted toward crisis in the 1630s and 1640s, many individuals identified Portuguese *conversos*—the people of “the Nation” whose trading networks reached to the edge of the empires—as a global infection that was a primary source of that crisis; and many found the remedy to this infection in a similarly global institution: the various tribunals of the Spanish and Portuguese Inquisitions. The first part of this essay explores the deepening crisis of the early seventeenth century across the Iberian world, and the contested role of Portuguese *conversos* in that crisis. It argues that many people in the Spanish and Portuguese empires identified the people of the Nation as centrally responsible for stagnating conflict and decline in the Iberian empires worldwide, and that perception contributed to a significant increase in suspicion and persecution of Portuguese *conversos* in the 1630s and 1640s. The second part of this essay examines the multifaceted roles that the Spanish and Portuguese Inquisitions played in resolving this crisis. A variety of individuals—inquisitors, lay people, and priests—turned to the various tribunals of the Holy Office of the Inquisition, in Portugal, Spain, and their colonies, as an institution well equipped to resolve the complex political, economic, and religious threat that they thought the Nation posed. The working relationship between the Spanish and Portuguese Inquisitions was tense, and reflected the mutual suspicion

als, mostly related to *conversos*. My thanks to the editors of this volume for their helpful comments on an earlier version of this essay.

<sup>2</sup> Cisneros, *Memorial*, fol. 257v.

with which Spanish and Portuguese nobles viewed each other; yet despite those tensions, and the looming threat of Portuguese revolt, these institutions did make some attempts to work collectively as a truly global response within and across their various tribunals.

### A GLOBAL CRISIS: THE PEOPLE OF THE NATION IN THE IBERIAN EMPIRES OF THE 1630S AND 1640S

The origins of the Nation, also called *La Nação Portuguesa*, or *La Nación Portuguesa*, or the Portuguese Nation, date to the appearance of increasing numbers of *conversos*, or New Christians (baptized Jews and their descendants) in the late fourteenth century. Partly to encourage the assimilation of these sometimes unwilling converts and their offspring, in 1492 the Spanish monarchs ordered the Jewish population in their combined kingdoms to convert or go into exile; many of those who left fled to Portugal, which forcibly converted its entire Jewish population *en masse* five years later, in 1497. The Spanish Inquisition, established before the expulsion, dealt harshly with these converts, while Portuguese converts were granted an exemption from investigation for heresy for a generation. The combination of gradual conversion and harsh investigation in Spain, as opposed to mass conversion and delayed prosecution in Portugal, seems to have led Spanish *conversos* to assimilate more quickly than their Portuguese counterparts.<sup>3</sup> When Portuguese *conversos* began to face hostile investigations in their home country, some traveled into Europe and beyond and established trading networks, at times working with converts who had reverted to Judaism, or Christian Portuguese who did not have Jewish ancestry. The members of this diasporic trading network became known as “the Portuguese Nation” or “People of the Nation” or “men of business.”<sup>4</sup>

<sup>3</sup>Nathan Wachtel, *The Faith of Remembrance: Marrano Labyrinths* (Philadelphia: University of Pennsylvania Press, 2013), has a good summary of this question on 3–5.

<sup>4</sup>The literature on *conversos* and the people of the Nation is vast. Jonathan Ray, *After Expulsion: 1492 and the Making of Sephardic Jewry* (New York and London: New York University Press, 2013) provides a helpful overview of the origins of this phenomenon as well as those who went into exile as Jews. Miriam Bodian, *Hebrews of the Portuguese Nation: Conversos and Community in Early Modern Amsterdam* (Bloomington: Indiana University Press, 1997), addresses key issues of identity. Wachtel, *Faith*, is an essential recent title on *converso* beliefs and practices, particularly in colonial Peru. For the use of the term “Portuguese” to mean individuals of Jewish descent see David L. Graizbord, *Souls in Dispute:*

Scholarly research has clarified who was included in the Nation and how it operated in the sixteenth and seventeenth centuries. The Nation was a diasporic community, not officially connected with the kingdom of Portugal, and the people of the Nation dwelt wherever their trading took them. The Nation included men and women, and while a majority of its members had Jewish ancestry, not all of them did. As a result, people of the Nation resided in communities that included Jewish families, Christian families, and families that might practice both religions simultaneously or in sequence. Yet the prominence of Jewish and converted Jewish families among the Nação meant that outsiders often understood them to be a Jewish as well as a Portuguese Nation, *portugueses de la nación hebrea*, “Portuguese of the Hebrew Nation.”

Union between the Spanish and Portuguese Crowns in 1581 made it easier for the Portuguese diasporic Nation to travel between Portugal, Spain, southern France, and the rest of Europe, and on to Asia and the Western Hemisphere. It also cemented the perception among Spaniards at least that this was a Jewish community, and Spaniards used the terms “businessmen,” “the Nation,” and “Jews” interchangeably.<sup>5</sup> As Wachtel notes, the flight of Spanish and Portuguese Jews and converted Jews to Europe and the Ottoman Empire coincided with a period of expansion for both Europeans and Ottomans; similarly, the Nation’s expanding trade networks in the seventeenth century, fueled by a profound understanding of new credit and production techniques, and made possible by their use of recent advances in naval technology, allowed them to move along routes established through colonial expansion.<sup>6</sup>

Not all people of the Nation were merchants; Studnicki-Gizbert points out that they also included other individuals associated with maritime trade, such as pilots, sailors, and associated artisans. Yet the Nation’s focus

*Converso Identities in Iberia and the Jewish Diaspora, 1580–1700* (Philadelphia: University of Pennsylvania Press, 2004), 53. Juan Ignacio Pulido Serrano, “Political Aspects of the *Converso* Problem: On the Portuguese Restauração of 1640” in Kevin Ingram, ed. *The Conversos and Moriscos in Late Medieval Spain and Beyond*. Vol. 2, *The Morisco Issue* (Leiden: Brill, 2014), 226, notes that the terms “businessman” and “man of the Jewish nation” became interchangeable in Portugal in the 1630s.

<sup>5</sup>Daviken Studnicki-Gizbert, *A Nation upon the Ocean Sea: Portugal’s Atlantic Diaspora and the Crisis of the Spanish Empire, 1492–1640* (Oxford and New York: Oxford University Press, 2007), is an important starting place for understanding the activities of the Portuguese Nation.

<sup>6</sup>Wachtel, *Faith*, 6–7.

on trade and their association with Judaism led some observers and critics to invoke anti-Semitic stereotypes amid elevated concerns. In short, early modern fears about the political, economic, and religious actions and intentions of the Nation extended beyond the evidence afforded by their activities; but those who feared the Nation saw danger in the trading network, with its relatively cohesive and integrated population of tightly related, interdependent, and powerful families.<sup>7</sup>

The people of the Nation were united by their origins on the Iberian Peninsula, and in the varieties of commercial activities in which they engaged, but for observers the Nation shared other qualities as well. Contemporaries saw them through a political lens, as a single uniform group; through an economic lens, as a network of business interests; and through a religious lens, linked by their purported fidelity to Judaism. These lenses were not separable, and collectively served to distinguish the Nation from other Spaniards and Portuguese, even within the Iberian Peninsula. Claude Stuczynski has pointed out that this understanding of the Nation made it difficult to assimilate members of the community into Iberian society generally, since Iberian society understood itself as organized along corporate lines. The traditional classes represented at the Cortes—the church, the nobility, and the people—all saw themselves as collectively opposed to *converso* interests. And the association of the Nation with heresy, whether it was true in any individual instance or not, doomed *conversos* to be seen collectively as enemies of the state, since heresy was more than a religious, but also a political and a social crisis.

This could be seen, Stuczynski notes, in the Portuguese Holy Office, a source of significant social, economic, and political consensus in Portuguese society. Its continued existence after the union of Spain and Portugal in 1581 was a sign of the Catholic identity of the kingdom and the ongoing political autonomy of the Portuguese nobility. In short, Iberians understood members of the Nation to have a collective identity which was political as well as economic and religious, which helped fuel the perception of crisis of the 1630s and 1640s.<sup>8</sup> Irene Silverblatt pointed out in her work on the Inquisition in Peru that racial thinking—the assumption that

<sup>7</sup> Studnicki-Gizbert, *Nation upon the Ocean Sea*, 11–12.

<sup>8</sup> Claude B. Stuczynski, “Harmonizing Identities: The Problem of the Integration of Portuguese *Conversos* in Early Modern Corporate Politics,” *Jewish History* 25, no. 2 (2011), 229–57. Also useful for its insistence on the relevance of the political in studying *conversos* is Juan Ignacio Pulido Serrano, “Plural Identities: The Portuguese New Christians,” *Jewish History* 25, no. 2 (2011), 129–51; and special issue of the *Journal of Levantine Studies*, vol.

*conversos* inevitably would conspire with one another because of their shared ancestry—dominated public and private pronouncements about the Nation.<sup>9</sup> Inquisition trials against *conversos* sometimes accused them of being traitors, because they drained wealth out of the realm due to their commercial activities.<sup>10</sup>

In other words, for many in Iberia and in its far-flung colonies, Portuguese *conversos* were seen as an economic threat as much as a political one. Indeed, they were an economic threat because they were a political threat, and vice versa. In a newly globalizing world, the international trade networks of the people of the Nation aroused fears of reduced economic power and success for rival businesses. They controlled much of the slave trade, and by extension much of the smuggling and contraband trade as well. Smuggling along slave routes was relatively easy, as ships were often overloaded with more slaves than formally permitted.<sup>11</sup> Furthermore, the Nation played a large role in economic warfare between the Spanish and Dutch, including blockades and counter-blockades. Because of Spanish embargoes, Dutch Sephardic Jews together with their Portuguese *converso* counterparts on the Iberian Peninsula ended up controlling commerce between Spain and the United Provinces. Rather than aiding the Spanish cause, as defenders of the people of the Nation claimed, critics argued that the Portuguese men of business mocked and impeded Spanish victory.<sup>12</sup>

Economic treachery was also political treachery—and it was simultaneously religious treachery as well. International trade, Silverblatt points out, “was intrinsic to anti-Semitic fears,” and the *Nação* trading network raised fears of heresy since it necessitated traveling to foreign, heretical nations, or centers of Jewish communities. At one edge of the Nation’s reach, inquisitors saw their trade as simultaneously endangering Peru’s

6 (Summer/Winter 2016), “Political Dimensions of the *Converso* Phenomenon,” guest ed. Claude B. Stuczynski.

<sup>9</sup> Irene Silverblatt, *Modern Inquisitions: Peru and the Colonial Origins of the Civilized World* (Durham and London: Duke University Press, 2004), 132–33.

<sup>10</sup> Bernardo López Belinchón, *Honra, libertad y hacienda (Hombres de negocios y judíos sefardíes)* (Alcalá de Henares: Instituto internacional de estudios sefardíes y andalucíes, [2001]), 309.

<sup>11</sup> Wachtel, *Faith*, 10–11.

<sup>12</sup> López Belinchón, *Honra*, 303–4; Jonathan Israel, “Spain and the Dutch Sephardim (1609–1660),” *Studia Rosenthaliana* 12, no. 1–2 (1978), 1–61; Bernardo López Belinchón, “‘Sacar la sustancia al reino.’ Comercio, contrabando y conversos portugueses, 1621–1640,” *Hispania* 61/3, no. 209 (2001), 1017–50.

spiritual integrity, spatial integrity, and commercial health.<sup>13</sup> In another key site of the Portuguese Nation's activity, the United Provinces were Spain's enemies in war, the center of extensive smuggling operations, and a seat of Calvinist heresy. Furthermore, most of the centers of Sephardic Jewish life in Europe were primarily located in the Protestant north, in cities such as Amsterdam, Antwerp, Hamburg, and Rouen. Other Sephardic Jews fled to the second great enemy of the Spanish Empire, namely, the Muslim Ottomans in the eastern Mediterranean.<sup>14</sup>

In short, their corporate identity, their business dealings, and the perception of an inherited "infection" of heresy generated suspicions of the Nation as a political, economic, and religious "fifth column" that threatened to undermine the well-being of the Spanish Empire. Not everyone agreed with this assessment of *conversos*, and furthermore there were a variety of proposed "solutions" to the problems of the Portuguese Nation, as will become clear below. But whatever the opinion of individuals across the Spanish Empire, many learned people who contemplated the fate of Spain came to believe that the Nação were increasingly problematic in the seventeenth century.

Indeed, the problem posed by the Portuguese Nation seemed particularly acute by the 1630s. Scholars have long recognized that the seventeenth century was a period of sustained crisis in Europe, and Hispanists have seen ample evidence of this in the frayed and decaying fabric of the Iberian empire. Thanks to Geoffrey Parker's magisterial work on the global crisis of the seventeenth century, we now have a better sense of how widespread this crisis was, and why it emerged when it did. Parker makes clear the role of climate change in weakening the global Iberian empires. Instances of extreme weather across the Iberian world between 1626 and 1631, for example, hit locations as diverse as Seville, Mexico City, Spanish Lombardy, Lisbon, Castile, and Catalonia.<sup>15</sup> Furthermore, a demographic decline began in Spain in the 1630s, caused by emigration related to taxation and the shrinking of smaller communities which could not be sustained after a drought in 1630–1631. Other, even more severe instances of extreme weather occurred throughout the reign of Philip IV, but

<sup>13</sup>Silverblatt, *Modern Inquisitions*, 148.

<sup>14</sup>An accessible introduction to Sephardic Jewish history is Jane S. Gerber, *The Jews of Spain: A History of the Sephardic Experience* (New York: Free Press, 1992).

<sup>15</sup>Geoffrey Parker, *Global Crisis: War, Climate Change & Catastrophe in the Seventeenth Century* (New Haven and London: Yale University Press, 2013), 258–60.

particularly in 1630–1632 and 1640–1643.<sup>16</sup> These patterns of unusually harsh weather heralded a broader pattern of climate change in the world over in the mid-seventeenth century, which affected everything from population growth to agriculture to local and international trade to political stability. Parker has convincingly argued that by the 1640s a cooler climate had increased famines and political unrest around the world. In fact, his data suggests that conditions were already deteriorating in the first half of the seventeenth century, and certainly by the 1630s. These deteriorating conditions put increased pressure on the already weakened economy of the Spanish empire.<sup>17</sup>

Economic trouble and political unrest sapped the strength of the joint Spanish and Portuguese empires in the seventeenth century. Without mincing words, John Elliott wrote that the seventeenth century in Spain was a century of “military defeat, political disaster, and economic decline.”<sup>18</sup> During this period Spain’s domestic and foreign policy was guided primarily by don Gaspar de Guzmán y Pimentel, better known as the Count-Duke of Olivares. Olivares was well aware of the need for reforms to stave off deterioration of the Spanish economy and he had attempted an ambitious fiscal reform plan, but in the end he was unable to carry it out. Both the Spanish and Portuguese economies were in decline in the first half of the seventeenth century, as revenue from overseas territories dropped. Olivares was able to put an end to punishing inflation, but the government declared bankruptcy twice in quick succession. Desperate for more financing options beyond those offered by the increasingly reluctant Genoese, Olivares began to cultivate new financiers from among the Portuguese *conversos*. In addition, Olivares pursued reforms that included rehabilitation of the so-called New Christians and the elimination of purity of blood laws, which were intended to keep *conversos* from holding clerical or secular offices. These effective improvements to *converso* status were deeply controversial, as was Olivares himself. Meanwhile, the war against the Dutch dragged on, and Olivares decided not to pursue peace negotiations. Yet money was in short supply to pay the army, and he struggled to find new sources of revenue. As Olivares was also well aware,

<sup>16</sup> See Parker, *Global Crisis*, 287.

<sup>17</sup> Geoffrey Parker, “Crisis and Catastrophe: The Global Crisis of the Seventeenth Century Reconsidered,” *American Historical Review* 113, no. 4 (Oct. 2008), 1071. See also Parker, *Global Crisis*.

<sup>18</sup> J. H. Elliott, *The Count-Duke of Olivares: The Statesman in an Age of Decline* (New Haven and London: Yale University Press, 1986), ix.



the general population increasingly suffered from growing financial burdens.<sup>19</sup>

Tensions increased between Spain and Portugal in the period between 1621 and 1632 as well. The Spanish King Philip II had claimed the Portuguese throne forty years earlier thanks to a succession crisis, becoming Philip I of Portugal. He had gained the support of the Portuguese nobility by promising them the benefits of joining economically with Spain's more robust economy. In addition, the Cortes of Tomar in 1581 required that Portugal's ministers, tribunals, and councils retain their autonomy from Spain, rather than being jointly governed by Madrid. Yet during the 1620s and into the 1630s, the royal government began making increased use of councils, or *juntas*, to conduct the business of the state. The *juntas* had the advantage of allowing government to move more quickly to enact a far-reaching reform agenda; however, these extralegal *juntas* also superseded the authority of Portuguese councils, tribunals, and ministers, to the anger and frustration of the Portuguese nobility. Furthermore, a key element of the reforms advocated by the *juntas* included re-evaluating the status of the joint kingdoms' *converso* population, another source of deep suspicion on the part of the Portuguese nobility. Pulido Serrano argues that the sharp increase in Portuguese inquisitorial trials of *conversos* between 1620 and 1640 was a reflection of tension between the Portuguese nobility and their Spanish king. Those nobles became increasingly restive beginning in the 1620s, and by 1640 they were in open revolt.<sup>20</sup>

Spain's and Portugal's political and economic problems extended beyond the Pyrenees into their foreign policy as well. Spain was mired in what would eventually be known as the Thirty Years War, fighting against the Dutch (and after 1635, also the French) in a conflict that would sap the empire's men and resources. Trade with the Western Hemisphere was not much better. After a Dutch pirate captured the treasure fleet in 1628, trade to Seville was devastated and had to be completely rebuilt. Only *converso* Portuguese financiers, who engaged in tax farming and investment in Sevillian trade, allowed the military to continue fighting in northern Europe, despite their own straitened circumstances following Spanish

<sup>19</sup> Elliott, *Count-Duke of Olivares*, 359–60, 409–14, 425–36.

<sup>20</sup> Pulido Serrano, "Political Aspects," 219–46, especially 232.

government defaults in 1627 and 1628.<sup>21</sup> The Dutch West India Company, founded in 1621, put pressure on the Iberian economy, and while Portuguese *conversos* responded by forming their own company to promote overseas trade, this combination of wars and competition weakened the economy in the early- to mid-seventeenth century.

These problems were not confined to the Iberian Peninsula; rather, they extended across the global empire, as problems in one area of the world led to problems in another. The Dutch harried Portuguese colonies in the Eastern Hemisphere by blockading Goa off the India coast, capturing Luanda in Angola, and seizing São Jorge da Mina in what is now Ghana. Income from Asia was at best stagnating, and loss of the Japan trade created further problems. Both African ports were key slaving sites, which provided important revenue for the people of the Nation and for Portugal, and helped fuel the Brazilian sugar economy. In addition, São Jorge da Mina was Portugal's oldest colony in the tropics, and its loss was a psychological blow as well as an economic one.<sup>22</sup>

The Western Hemisphere was not immune to problems from the Dutch, either. The Dutch attacked Bahia in 1624, and although a combined Spanish-Portuguese fleet managed to retake the city the following year, local anxieties remained high. There was good cause for concern, because the Dutch attacked again in 1630, this time seizing the critical sugar-producing center of Pernambuco. The Dutch also continued to harass Spanish settlements in the Caribbean, and other colonies feared the arrival of pirates and invaders from the United Provinces.<sup>23</sup>

In such a period of tension and uncertainty, Portuguese *conversos* became an outlet for all sorts of fears, wherever they might be. Perhaps unsurprisingly, fray Alonso de Espina's  *Fortalitium Fidei* with its depiction of the danger of *converso* heretics was republished for the first time in a century in 1629, as Ana Echevarria notes in her chapter in this volume.<sup>24</sup> In Madrid an instance of image desecration demonstrated the close links between political concerns regarding *conversos* and claims of heresy in the

<sup>21</sup> James C. Boyajian, *Portuguese Bankers at the Court of Spain, 1626–1650* (New Brunswick, NJ: Rutgers University Press, 1983), 43. Also Parker, *Global Crisis*, 256.

<sup>22</sup> Parker, *Global Crisis*, 264, 461.

<sup>23</sup> A key work on this period remains Charles R. Boxer, *The Dutch in Brazil* (Oxford: Clarendon Press, 1957). See also relevant discussions in Elliott, *Count-Duke of Olivares*.

<sup>24</sup> Ana Echevarria, "The Perception of the Religious Other in Alonso de Espina's *Fortalitium Fidei*: A Tool for Inquisitors?" (above). My thanks to Robin Vose for his thoughts on this and many other matters related to this essay.

1630s, culminating in the *auto de fe* of 1632.<sup>25</sup> Two years later, a Portuguese ship captain named Esteban de Ares Fonseca wrote to the Supreme Council of the Spanish Inquisition, the Suprema, to explain the ways in which *conversos* were undermining Spanish control of the Indies. In Fonseca's mind, an international network of Judaizers had been strategically placed by the Dutch in Lisbon, Seville, Bahia, and elsewhere, where they served as spies. Furthermore, he claimed that they controlled the West India Company, and their profits went to fund Holland's military activity. His account moved almost seamlessly from rumors of forthcoming action against military targets to a rumored plan to attack the Inquisition at Coimbra.<sup>26</sup> Pulido Serrano notes that Portuguese priests around the years of the Portuguese war for independence from Spain frequently blamed *conversos* for the severe economic and agricultural crises facing the country.<sup>27</sup> Similarly, Irene Silverblatt has traced the ways in which anxieties about the Nation (as well as slaves and indigenous people), as she put it, hint "at the tensions that animated the evolving modern/colonial economy, relations of political dominion, and the cultural order on which they both rested."<sup>28</sup> Economic, political, and religious threats that loomed around the world left Americans as transfixed as Europeans.

One of the most extensive analyses of this threat, and one that emphasized the complexity of the debate on this issue, was Diego de Cisneros's *Memorial*, with which this essay began. Diego de Cisneros wrote based on his experiences in Rouen and Flanders, and his text exists today in a handwritten copy bound into a volume kept at the British Library.<sup>29</sup> In Rouen, Cisneros worked closely with the expatriate Iberian community, which included numerous *conversos*.<sup>30</sup> The communities of the Nation in France and elsewhere outside Iberia could include Spaniards as well as Portuguese

<sup>25</sup> Juan Ignacio Pulido Serrano, *Injurias a Cristo. Religión, política y antijudaísmo en el siglo XVII (análisis de las corrientes antijudías durante la Edad Moderna)* (Alcalá de Henares: Instituto internacional de estudios sefardíes y andalucés, 2002).

<sup>26</sup> Cyrus Adler, "A Contemporary Memorial Relating to Damages to Spanish Interests in America done by Jews of Holland (1634)," *Publications of the American Jewish Historical Society* 17 (1909), 51.

<sup>27</sup> Pulido Serrano, "Political Aspects," 226.

<sup>28</sup> Irene Silverblatt, "New Christians and New World Fears in Seventeenth-Century Peru," *Comparative Studies in Society and History* 42, no. 3 (July 2000), 537.

<sup>29</sup> Cisneros, *Memorial*, fols. 249r–268r of MS Egerton 343.

<sup>30</sup> Gayle K. Brunelle, "Immigration, Assimilation, and Success: Three Families of Spanish Origin in Sixteenth Century Rouen," *Sixteenth Century Journal* 20, no. 2 (Summer 1989), 203–20.

individuals, displaying a range of beliefs and practices that at different times could link them to Christianity, or Judaism, or both. *Converso* behavior might be “situationally determined,” or *conversos* could be “cultural commuters” or have “plural identities,” as scholars have variously stated it.<sup>31</sup> Some were even described by Cisneros, and more recently by Yosef Kaplan and other modern scholars, as “New Jews,” that is, as returnees (or for some people, re-converts) to normative Judaism.<sup>32</sup>

Diego de Cisneros for his part identified only two groups in this expatriate *converso* community: those he called “Christians” and those he lumped together as “Jews,” “New Jews,” or “Judaizing Jews.” Cisneros shifted back and forth repeatedly between discussing these two groups. The so-called Christian *conversos*, he argued, had suffered grievously at the hands of their relations and at the hands of the Spanish government. Jews and New Jews persecuted them for being Christian, he wrote, while at the same time Old Christians despised them as people of the Nation, as if they were Judaizers. This, said Cisneros, was counter-productive on the part of Spaniards. As a result, Cisneros argued that some New Christians were losing heart, and were having a hard time continuing to resist efforts to reconvert them to Judaism; some, he added, had begun to lie about apostasy or even to ignore it.<sup>33</sup>

By contrast, the *conversos* that Cisneros described as Jews or Judaizers, who he understood to be openly and actively practicing Judaism, were the targets of his deep hostility. For Cisneros, these apostatizing Judaizers actually deserved harsher punishment from the Spanish Inquisition and the Spanish government for the damage that they were causing to the faith of their Christian neighbors and to the health of the Spanish Empire. The poor treatment of genuinely Christian *conversos* on the part of the Holy Office only confirmed Judaizers in their false beliefs, he asserted, and in countries outside Spanish control Judaizers publicly mocked the Portuguese and Spanish Inquisitions, and the numerous innocent

<sup>31</sup>The first quote is from Miriam Bodian, *Hebrews of the Portuguese Nation*; the second quote is from Renee Levine Melammed, *A Question of Identity: Iberian Conversos in Historical Perspective* (New York: Oxford University Press, 2004). The third quote is from Pulido Serrano, “Plural Identities.” On these issues see also Claude Stuczynski, “Harmonizing Identities.”

<sup>32</sup>Yosef Kaplan, “Wayward New Christians and Stubborn New Jews: The Shaping of a Jewish Identity,” *Jewish History* 8 (1994), 27–41.

<sup>33</sup>Cisneros, *Memorial*, fols. 254v–255r.

Christians tried and sentenced by those institutions.<sup>34</sup> Judaizers should have been sentenced, he added, for their obstinate, persistent beliefs, and their sacrilegious practices, unspecified beyond circumcision.<sup>35</sup>

Yet the greatest danger posed by *conversos*, according to Cisneros, was a crippling, enervating blend of political, economic, and religious threats. The men of the Nation, he wrote, were excellent men of business, doing necessary and important work. But they used their skill to aid the enemies of Christ and Spain. Genuinely Christian converts fled from Spain with their wealth to avoid unjust persecution by the Inquisition, yet through their business dealings they continued to suck all the substance that they could out of Spain, as a nursing infant would do. This was reasonable, he said, since Spain was their mother, albeit difficult for Spain.<sup>36</sup> Yet Judaizing *conversos* were even worse, in Cisneros's mind, because they did not fear the Inquisition, and instead remained in the country, where their dealings domestically and internationally, and their business acumen, led to good Catholics being discredited and excluded from business. For Cisneros, Christian converts leached away Spain's treasure by leaving; Judaizers, rather, stole it from within.<sup>37</sup> As a result, Judaizers had created an almost intentional weakness in the Spanish economy, leaving Spain dependent on the very members of the Nation who benefitted most from Spain's debility. Furthermore, Cisneros argued that these Judaizers had developed alliances with synagogues in Amsterdam and Hamburg, bringing them together with what Cisneros claimed were thousands of Jewish families, and strengthening their ability to act against Spain. From there, they made common cause with Dutch rebels and German heretics, taking money from the Spanish state and rendering the country so weakened that Spain was lurching toward its ruin.<sup>38</sup> For Cisneros, therefore, *conversos* drained Spain of money, leaving it economically weak and dependent; allied with Spain's political enemies, the Dutch and Germans; and through their heretical return to Judaism, posed a religious threat to themselves and to Spain as a whole.

This problem was, in Cisneros's mind, a distinctly global one. He noted that the dispersed Jews in "Spain, the Islands of the Indies and Terra Firma

<sup>34</sup> Cisneros, *Memorial*, fols. 256r–v.

<sup>35</sup> Cisneros, *Memorial*, fol. 264v.

<sup>36</sup> "porque al fin es madre" Cisneros, *Memorial*, fol. 257r.

<sup>37</sup> Cisneros, *Memorial*, fol. 257r.

<sup>38</sup> Cisneros, *Memorial*, fols. 257v–258r.

in the Ocean Sea, as well as France, Flanders, and Italy” were all implicated in this activity, and he followed this with a list of all the cities in France with *converso* populations, including the number of families there. In short, the exiled *conversos* drew money out of Spain and funneled it into key synagogues in Amsterdam and Hamburg. Those synagogues used that money to seed new synagogues around the world, and so further alienate *conversos* from Christianity. For example, he noted that *conversos* who arrived with the Dutch to Brazil were building synagogues “every day.”<sup>39</sup> While one might take issue with the number of new synagogues Cisneros claimed for Brazil, Bruno Feitler’s work ably demonstrates that *conversos* from the Netherlands did travel with the Dutch to Brazil and made efforts to seek out *conversos* and encourage (or even harass) them into the traditional observance of Judaism.<sup>40</sup> Having used the first half of his *Memorial* to lay out the parameters of the problem, Cisneros then stated the following:

And so, to destroy this infernal machine, it is necessary to remove the foundation of their commerce and communication, and to cut them off at the root, and eradicate it entirely if possible.<sup>41</sup>

One might be tempted to dismiss Cisneros’s letter as unique, interesting though it might be. But his distinctly global vision of the political, economic, and religious threat posed by Portuguese *conversos* (offered by a Spanish cleric resident in northern France) was itself echoed around the world in this same decade. A letter from May 15, 1636 by a local observer reported about Lima that:

For the past six to eight years, a great number of Portuguese have entered the kingdom of Peru and there were a great number already there. They come through Buenos Aires from Brazil, New Spain, the kingdom of Granada, and Puerto Bello. This city is thick with them. Many are married but more are single. They have made themselves the masters of commerce. The street which is called that of the shopkeepers is theirs; the passageway is

<sup>39</sup> Cisneros, *Memorial*, fol. 258r.

<sup>40</sup> Bruno Feitler, *Inquisition, juifs et nouveau-chrétiens au Brésil: le Nordeste, XVIIe et XVIIIe siècles* (Louvain: Leuven University Press, 2003).

<sup>41</sup> “Y assi para la Ruina desta machina infernal es necessario quitarles este fundamento del comercio, y comunication y cortarles esta raiz, y dessarraygarla del todo si fuesse posible.” Cisneros, *Memorial*, fol. 259v.

all theirs as are most of the dry goods stores. They swarm through the streets selling from trunks as do the linen-drapers at this court. All of the best spots where people congregate are theirs. Such luck has been theirs that they are in absolute control of the traffic in merchandise ranging from brocade to sackcloth and from diamonds to cumin seeds.<sup>42</sup>

This writer focused on the economic power that the immigrants had; others were equally fearful of the potential political danger that they posed. The Council of Portugal informed Philip IV of Spain that Dutch attacks on Brazil were intended not merely to gain political power over Brazil and access to its sugar, but also to take control of Peru and the silver mines of Potosí.<sup>43</sup> Still others worried about the religious danger posed by the Nation. The inquisitor Juan de Mañozca, for example, prosecuted New Christians for heresy in all three tribunals—Cartagena (in the early 1620s), Peru (in the 1620s and 1630s), and New Spain (Mexico) (in the 1640s).<sup>44</sup>

These political, economic, and religious anxieties surrounding the Nation were not confined to the Atlantic world. In the same decade, half a world away, Portuguese colonists in Goa expressed precisely the same concerns. Goa, Malacca, Macau, and other ports were links in Portugal's Asian trade network and endpoints for the *Carreira da Índia*, the trade route that brought goods back and forth between Goa and Lisbon. The success of the *carreira* was a technological achievement, but the financial benefits were difficult for the Portuguese to sustain. Here, as in the Western Hemisphere, the Portuguese were harried by Dutch and English ships, and in the late sixteenth and early seventeenth centuries there were increasing losses of merchandise and increasing loss of life.<sup>45</sup>

Portugal's Asian outposts struggled as the *carreira* trade declined, but members of the Nation had been forbidden from entering India until 1600, as part of the more general restrictions on *converso* movement and

<sup>42</sup>Seymour B. Liebman, "The Great Conspiracy in Peru," *The Americas* 28, no. 2 (Oct. 1971), 177.

<sup>43</sup>Liebman, "Great Conspiracy in Peru," 182.

<sup>44</sup>An excellent introduction to the career of Juan de Mañozca appears in Kimberly Lynn, *Between Court and Confessional: The Politics of Spanish Inquisitors* (Cambridge and New York: Cambridge University Press, 2013), 238–93.

<sup>45</sup>Donald F. Lach and Edwin J. Van Kley, *Asia in the Making of Europe*. Vol. 3, *A Century of Advance, Book One: Trade, Missions, Literature* (Chicago and London: University of Chicago Press, 1993), 26–28.



emigration. By the seventeenth century, however, the survival of the *Carreira da India* required *converso* investment, and the border was opened. In fact, that border intermittently closed and opened for the Nation throughout the early seventeenth century, but generally speaking the *carreira* trade was marked by the presence of the Nation throughout this period. Old Christians (i.e., those not descended from Jewish converts) struggled financially as the *carreira* trade declined, but the increasing participation of Portuguese *conversos* raised suspicions and frustrations among the Portuguese Old Christians in Asia who felt displaced, even as the Nation helped salvage the *carreira* trade overall. As early as 1613, the bishop-elect of Malacca wrote to Philip III of Spain (Philip II of Portugal) to inform him that even before the investment of the *conversos*, Old Christians did not have the means to profit significantly from the *carreira* trade. Other vassals who claimed that *conversos* were to blame for their losses should instead blame themselves, he noted tartly.<sup>46</sup> Here, too, resentment of *converso* economic success and the political connections of the Nation in Goa mingled with suspicions of a “Judaizing cell” in Goa itself. The inquisitorial tribunal in Goa had been keeping files on the people of the Nation for years, and in the 1630s—just as investigations of *conversos* began elsewhere—a rash of denunciations triggered a series of trials in Portuguese Asia as well.

### A GLOBAL SOLUTION: THE HOLY OFFICE OF THE INQUISITION

The perceived problem that the people of the Nation caused the Iberian empires might have seemed intractable, given the linked religious, economic, and political threats that the Portuguese *conversos* represented, the Nation’s influence with Olivares, and the weakness of the Spanish government. Yet many in the Iberian world readily identified the solution to this problem in a collection of institutions present around the world—the Spanish and Portuguese Inquisitions. The modern Inquisitions were themselves mixed religious, political, and economic institutions. Their task was to investigate and punish heresy, but they also functioned as an arm of the state under authority granted to them by the pope. The mixed secular and religious authority of the Holy Office could be seen in their ceremonies and processions; for example, the great procession that

<sup>46</sup>James C. Boyajian, *Portuguese Bankers*, 170–76.

preceded the 1639 *auto de fe* in Lima included two squadrons of Spanish infantry, local councils, civic and religious authorities, and the viceroy, along with inquisitorial officials, and numerous banners. Indeed, secular officials were required to be present to carry out the death sentences which inquisitors themselves were forbidden to enact.<sup>47</sup> Furthermore, the economic effects of the Inquisitions varied over time and place but could be significant, because the goods they seized from their victims not only funded the institution but also personally enriched many of the Holy Office's functionaries and familiars. Some have argued that inquisitors and others benefitted economically by expropriating the goods of the accused Portuguese *conversos*, a near-universal penalty of the Holy Office.<sup>48</sup> This attention may have spread to the various tribunals of the Italian Inquisitions as well, but the complexity of political relations between the Spanish and Italian peninsulas, within the various Italian tribunals, and between the Roman and Iberian Inquisitions are beyond the scope of this essay.

It is not surprising that individuals turned to the Iberian Inquisitions with denunciations that strayed far beyond narrowly defined heretical errors. Esteban de Ares Fonseca, the Portuguese ship captain discussed above, wrote his account of the many plots hatched by "Jews of Holland" against Spanish and Portuguese territory in the Americas in the 1630s, and addressed his concerns to the Supreme Council of the Spanish

<sup>47</sup> Fernando de Montesinos, *Auto de la fe celebrado en Lima a 23 de enero de 1639. Al tribunal del Santo Oficio de la Inquisicion de los Reynos del Peru, Chile, Paraguay, y Tucuman* (Lima: Pedro de Calorera, 1639), available at <https://archive.org/details/autodelafecelebr00trib> (original in J. Carter Brown Library). [no page numbers; see pages 27–35 of the PDF].

<sup>48</sup> Some useful sources on the modern Inquisitions are Francisco Bethencourt, *The Inquisition: A Global History, 1478–1834*, tr. Jean Birrell (Cambridge and London: Cambridge University Press, 2009); Henry Kamen, *The Spanish Inquisition: A Historical Revision*, 4th ed. (New Haven: Yale University Press, 2014); *Dizionario storico dell'Inquisizione*, ed. Adriano Prosperi, with Vincenzo Lavenia and John Tedeschi (Pisa: Scuola Normale Superiore, 2010). On the economic advantages of accusing Portuguese *conversos*, see for example Alfonso Quiroz, "La expropiación inquisitorial de cristianos nuevos portugueses en Los Reyes, Cartagena, y México, 1635–1649," *Histórica* 10, no. 2 (Dec. 1986), 237–303. See also Seymour B. Liebman, "The Great Conspiracy in New Spain," *The Americas* 30, no. 1 (July 1973), 27. Quiroz in particular argues that American inquisitorial tribunals were particularly harsh in seizing the goods of Portuguese *conversos*, and that the 1630s and 1640s witnessed the declining influence of Portuguese *conversos* and the increasing prestige of the American tribunals of the Spanish Inquisition.

Inquisition in Madrid, apparently identifying this institution as the one best positioned to address a threat of heretics and traitors.<sup>49</sup>

The “Great Conspiracy” of Peru also identified Judaizers as political and economic enemies, as much as heretics. It began as a series of mass arrests in 1635 and Inquisition trials which targeted Portuguese *conversos* in that provincial tribunal, with inquisitors seeking evidence of a purported conspiracy to attack the Spanish colony and hand it over to Dutch control. Scholars have variously attributed the Peruvian Great Conspiracy trials, culminating in the large *auto de fe* of 1639, to Spanish political concerns about the threat posed by the Dutch and economic worries as silver revenue and royal finances dropped and contraband trade rose. Liebman in his early article on these trials seems to imply that there might indeed have been a plot, if not an actual conspiracy, though there is little evidence of that.<sup>50</sup> Contemporaries, for their part, consistently pointed to the political, economic, and religious threat that the Nation posed. In an extensive *Memorial* about the 1639 Peruvian *auto de fe*, Fernando de Montesinos, a Spanish priest, jurist, and author who was in Peru and witnessed the *auto de fe*, positioned the trials as an event of world historical significance, and one which encompassed the world politically and economically as well as religiously. In his prologue, Montesinos argued that this was the second great *auto de fe* in the Americas, the first being when God as the First Inquisitor sentenced Adam and Eve in the garden of Eden, which Montesinos posited was in the Americas. Just as Adam and Eve had been exiled from Paradise, so too the people of the Nation were being exiled from “all the Indies.”<sup>51</sup> Montesinos took care to detail the observance of the law of Moses among the Portuguese, but economic concerns were never far from the surface. Portuguese Judaizers were dangerous because of their growing riches, for example.<sup>52</sup> The city also took the precaution of locking up all the African slaves in town before announcing the *auto de fe*, because the inquisitors did not want prisoners hearing the publicizing of the *auto*, and feared that the slave-trading Portuguese could communicate with African slaves both by language and by tapping in code.<sup>53</sup> This last

<sup>49</sup> Adler, “Contemporary Memorial;” Pulido Serrano, *Injurias a cristo*.

<sup>50</sup> Liebman, “Great Conspiracy in Peru;” Lynn, 265.

<sup>51</sup> Montesinos, *Auto* [12 of PDF].

<sup>52</sup> Montesinos, *Auto* [15 of PDF] “Auianse casi apoderado de su mayor credito, a la sombra de algunos crecidos caudales, viuiendo en esto con el artificio, que en la obseruancia de sus Ritos, surtiendose de Religiones distintas, como sus tiendas de mercaderias.”

<sup>53</sup> Montesinos, *Auto* [19 of PDF].

point corroborates Irene Silverblatt's argument that these trials are evidence of the way in which race thinking, violence, and state building work together in the creation of modern society, since it is race thinking that in this case could see slaves and slave traders working together in common cause as rational, both parties being minorities held in suspicion by the state.<sup>54</sup>

Those writing about the Great Conspiracy of Peru at the time certainly indicated their fear of the multifarious threat that Portuguese *conversos* posed; they also identified the Nation as a threat which was not limited by location, but which extended globally through the empire. In the memorandum *Comercio Impedido* which Kimberly Lynn persuasively attributes to inquisitor Adam de la Parra, but which had traditionally been attributed to his associate José Pellicer de Ossau y Tovar, the author sees the Great Conspiracy as evidence that Spain's enemies were as eager to claim Peru as they had been Brazil. It is evidence of the economic, religious, and political danger posed by the Nation, which de la Parra sees as linked to Spain's other enemies, particularly France. In fact, some of the men whose Inquisition records de la Parra analyzed were tried for smuggling and contraband, not heresy.<sup>55</sup> The published *auto de fe* notices summarizing the cases of those sentenced also underscored the inherently international nature of the Portuguese *converso* threat. The condemned had been born in cities throughout Portugal, and in Spain; they had been reared in Iberia, in Flanders, and in France; and while some were identified as residents of Lima, others came from Cartagena or elsewhere in the Iberian dominions. This corroborates Liebman's comment that Inquisition records indicate links with communities of Jews and of the Nation in London and Salonika, as well as a number of cities in the Americas and on the mainland of Europe.<sup>56</sup>

The global threat posed by the Portuguese Nation was met by the global reach of the institutions especially charged with prosecuting them. The tribunal of the Portuguese Inquisition in Goa and the people it prosecuted provide a good example. In the 1630s this Inquisition initiated a wave of mass arrests that lasted from 1632 to 1636. These seem to have been motivated by pressure from merchants who were not a part of the Nation, who found their business dwindling in the 1620s and 1630s.

<sup>54</sup> Silverblatt, *Modern Inquisitions*, especially 16–19.

<sup>55</sup> Lynn, *Between Court and Confessional*, 215–21.

<sup>56</sup> Liebman, "Great Conspiracy in Peru," 179.

Some of those tried in India then implicated relatives and colleagues as far afield as Lisbon, Antwerp, Amsterdam, and Paris. One merchant, Ruy Lopes da Silva, serves as an example of how the interconnections of the Nation appeared in denunciations and witnesses' statements around the world. In 1633 he fled the Inquisition in Goa and arrived in the Persian Gulf. Three years later, in 1636, he was sighted in Valencia, Spain; three years after that, Ruy Lopes turned up in Madrid, working with royal finances. When he heard in 1643 that friends in Spain had been arrested, he fled again to Rome, where the trail ends.

Ruy Lopes da Silva's global wanderings suggest not only the international character of these concerns; they also hint at how inquisitorial investigations of Portuguese *conversos* in the 1630s spread and extended into the 1640s. For example, a second, even more brutal wave of inquisitorial prosecutions occurred in Goa about a decade after the first, from 1644 to 1649. This second set of trials was directly influenced by trials occurring around the world, and influenced them in turn. One man tried in Lisbon in 1636 implicated his brother, who was tried in Goa a decade later. Mexican inquisitors implicated people of the Nation involved in the Acapulco-Lima trade, who were linked to trade in Goa. Mexican and Peruvian inquisitors sent corroborating evidence along to Goa, which was folded into the ongoing prosecutions of the 1640s. Even the usual safe haven of Macau saw inquisitors, and the Mexican Inquisition attempted to reach relatives of those tried in Goa who were living in Manila—an extraordinary degree of contact and cooperation, given that Portugal was in open rebellion against Spain at the time.<sup>57</sup>

Both inquisitorial tribunals and the people of the Nation shared a comparably global geographic range, and an impressive ability to communicate across long distances. These shared qualities combined to ensure that trials in one part of the world did not merely affect the people of the Nation there. Denunciations and trial records, and perhaps news of the trials themselves, followed *conversos* along their international trade routes to the four corners of the Earth. The Great Conspiracy trials in Peru, for example, influenced later prosecutions against the Nation in Mexico (New Spain), and suggest the combination of underlying suspicion of the Nation and precipitating events that combined to initiate inquisitorial investigations. Some of the Portuguese *conversos* in Lima escaped the inquisitorial prosecutions of the Great Conspiracy by fleeing to Veracruz and Mexico

<sup>57</sup> Boyajian, *Portuguese Bankers*, 179–84.

City, raising concerns that conspiratorial ideas had also traveled north. In addition, economic conditions continued to decline, and when the viceroy received word of the Portuguese revolt, he was also informed of the possibility of a concomitant revolt by the Portuguese in New Spain. The viceroy ignored this warning and continued to favor the Portuguese, which led to his recall in 1642. When a young *converso* traveled from California to Mexico City to denounce several other *conversos* that same year, tensions only increased. The newly arrived inquisitor, Juan de Mañozca y Zamora, had successfully presided over the Lima trials of the previous decade and not surprisingly he initiated another series of mass trials, and a large *auto de fe*, in response to what some feared was another “Great Conspiracy” in New Spain. The recent political unrest and fresh denunciations prepared the ground for his acts.<sup>58</sup> The global infection of Judaizing that Cisneros identified appeared equally dangerous in both the Spanish and Portuguese empires; Spain’s economic problems seemed equally grave; and the political and economic threat of the Portuguese Nation felt equally immediate in Lima or Mexico City, as in Goa or Madrid.

Given how closely connected inquisitors as well as the Portuguese Nation could be across the vast expanse of the Iberian empires, it is unsurprising that some inquisitors were as well traveled as the people of the Nation themselves. Juan Bautista de Villadiego, for example, began as a relatively minor official of the Inquisition in Llerena and Seville in Spain (where he probably met the inquisitor Adam de la Parra, another individual closely associated with heresy trials of the Nation), before he was sent to France by the Spanish Inquisition. His stated mission was to investigate instances of heresy among the Nation there at the behest of the Inquisitor General Antonio de Sotomayor, but his trip was also the result of a request by Jerónimo de Fonseca to find proof of the innocence of his elderly father.<sup>59</sup> Perhaps in Rouen he met fray Diego de Cisneros, the Spanish cleric who wrote the *Memorial* with which this essay begins. In any case, Villadiego certainly worked with Diego de Cisneros to translate the Portuguese accusation of the pilot Ares de Fonseca and record it in the archives of the Holy Office in 1634.<sup>60</sup> And later Villadiego worked as an

<sup>58</sup>Seymour B. Liebman, “Great Conspiracy in New Spain;” Lynn, *Between Court and Confessional*, 282–83. The *Memorial* by Matías de Bocanegra of the 1649 *auto de fe* in Mexico City is available at <https://archive.org/details/A0880401>.

<sup>59</sup>López Belinchón, *Honra*, 320.

<sup>60</sup>Adler, “Contemporary Memorial,” 51.

inquisitor for the tribunal of Cartagena de las Indias (modern Colombia), as it tried people of the Nation there for heresy.<sup>61</sup>

Yet the global “infection” of Portuguese *conversos*, as we have seen, was not limited to the Spanish Empire. As a result, prosecuting it necessitated a degree of cooperation between the Spanish and Portuguese Inquisitions, and more specifically between their governing councils. The degree of cooperation between the Spanish and Portuguese Inquisitions in general, and during the 1630s and 1640s in particular, remains an understudied topic, despite its importance. The Portuguese and Spanish Inquisitions remained autonomous, though they did collaborate on some occasions, and the tribunals frequently exchanged data about particular trials. The Hapsburg kings who ruled over both kingdoms (Philip II of Spain/Philip I of Portugal, Philip III/II, and Philip IV/III) wished to unify the distinct styles of inquisitorial procedure used by the two Inquisitions, and in particular to adapt Portuguese procedures to Spanish norms, since the Spanish Inquisition offered more protections to the accused and was generally understood to be more moderate than its Portuguese counterpart. The Portuguese Inquisition also had more independence from the state than did the Spanish Inquisition, influencing policies regarding *conversos* in particular, and the Crown strongly desired to rein in the authority of the General Council, the Portuguese Inquisitor General, and the tribunals. The Portuguese strenuously resisted this, however, as a violation of Philip II’s agreement to the Portuguese nobility in 1581 at Tomar.<sup>62</sup> A series of extradition treaties beginning in 1544 between the two Inquisitions helped facilitate the transfer of prisoners, though tensions continued even after the union of the Spanish and Portuguese Crowns in 1581. Each Inquisition wanted to maintain control over the process and what information was shared, and furthermore there were disagreements, particularly in Spain, between individual tribunals and the Supreme Council of the Inquisition in Madrid. François Soyer notes that extradition essentially stopped while the Portuguese war for independence was ongoing, and resumed after the peace treaty of 1668, but James Boyajian mentions that the Portuguese and Spanish Inquisitions cooperated in the Pacific in the trials of the 1640s, during the opening decade of the revolt.<sup>63</sup>

<sup>61</sup>Lynn, *Between Court and Confessional*, 223.

<sup>62</sup>Juan Ignacio Pulido Serrano, *Os Judeus e a Inquisição no Tempo dos Felipes* (Lisbon: Campo de Comunicação, 2007), 19–23.

<sup>63</sup>François Soyer, “Nowhere to Run: The Extradition of *Conversos* between the Spanish and Portuguese Inquisitions during the Sixteenth and Seventeenth Centuries,” in Kevin



Despite the ability of the Spanish Supreme Council and the Portuguese General Council (and some individual tribunals) to work together, philosophical disagreements over how to approach inquisitorial work may have fostered an underlying suspicion that made sustained cooperation more difficult. Both Diego de Cisneros and Juan Bautista de Villadiego, for example, commented that false accusations against “Portuguese [New] Christians” by Judaizing Portuguese before the Portuguese Holy Office left them unable to clear their names, despite a lack of evidence against them. They also criticized the means of taking testimony by Portuguese inquisitors.<sup>64</sup> Villadiego, as a functionary of the Spanish Holy Office, might well have seen some of the many trial dossiers sent to Spanish inquisitorial tribunals by their Portuguese counterparts. On the other hand, Adam de la Parra suggested that the Portuguese inquisitors may not have helped the work of rooting out Judaizing practices, since their sentences of exile only resulted in extending the reach of the Nation to Angola and Brazil.<sup>65</sup>

Cisneros and Villadiego, as well as other writers, not only questioned the methods of the Portuguese Inquisition but also urged the Supreme Council, the Inquisitor General, individual judges, the royal court, and society at large to distinguish within the Nation between “Portuguese Jews” (i.e., people of the Nation who were baptized as Christians but committed to a secret practice of Judaism—or an open practice of Judaism outside the Iberian Peninsula) and “Portuguese Christians” (i.e., Portuguese people of the Nation who were faithful Christians in the eyes of these observers). These writers tended to urge harsh treatment from inquisitors to the former, but advocated mercy and assimilation for the latter. Villadiego noted that when he began his journey to France he assumed, as did many others, including in the Holy Office, that there was no difference between “the Portuguese of the Nation and the Judaizing Jew.” But a French priest lifted him out of his error and showed him that some of the Nation were zealous Christians. One cannot separate “the

Ingram, ed. *Conversos and Moriscos in Late Medieval Spain and Beyond*. Vol. 2, *The Morisco Issue* (Leiden: Brill, 2014), 247–74; Boyajian, *Portuguese Bankers*, 183.

<sup>64</sup>See for example Cisneros, *Memorial*, fols. 256v, and 260v; and Juan Bautista de Villadiego, “Información ... por los Portugueses católicos de la Nación Hebrea” 1636, found in Cisneros, *Memorial*, fols. 281r–v. On Villadiego see also Natalia Muchnik, “De la défense des «impurs» à la critique du Saint-Office: le plaidoyer de Juan Bautista de Villadiego (1636),” *Revue d’Histoire Ecclésiastique* 101, no. 3–4 (2006): 1014–38.

<sup>65</sup>Lynn, *Between Court and Confessional*, 218, note 67.

tares and wheat,” he noted, but also named those Portuguese *conversos* who aided him, stating that the ones who helped him “were obviously Catholic Christians.” By contrast he had little sympathy for those Portuguese *conversos* who helped jail him.<sup>66</sup> Cisneros made a similar point, explaining that Catholic *conversos* from France had begun to return to the Spanish court and served it well. He insisted that they be encouraged and treated leniently. Most controversially, he urged a change in the policy of *limpieza de sangre* (purity of blood laws), which eliminated *conversos* with any Judaizing ancestor from holding public office, joining the clergy, or participating in other aspects of political, social, and religious life.<sup>67</sup> The noted lawyer and *arbitrista* Martín González de Cellorigo wrote a petition as early as 1619 making similar arguments, and the Count-Duke of Olivares considered reforms to purity of blood laws as well.<sup>68</sup>

Yet for all the resistance toward purity of blood laws in some quarters, and suspicion of the Inquisitions’ methods, as conflict with Portugal approached, the sense of crisis deepened, and hostility toward Portuguese *conversos* increased. The Spanish and Portuguese Inquisitions consequently grew more prominent in their prosecutions of members of the Nation around the world. Even Olivares permitted some of his Portuguese *converso* supporters to be tried by the Spanish Inquisition for Judaizing. John Elliott has argued that Olivares sacrificed those people of the Nation at the royal court who were most tainted by Judaizing, but Bernardo López Belinchón suggests that it was those Portuguese *conversos* most caught up in counterfeiting, smuggling, and other illegal businesses who were brought before the Spanish Inquisition. The only exception, according to Belinchón, was Juan Núñez Saravia, a man who openly bragged about his personal connections to Olivares, and whose case linked Judaizing with contraband and counterfeiting.<sup>69</sup> In any case, the Inquisition remained for many the Iberian empires’ best solution to the religious, political, and economic problem of Portuguese *conversos*.

<sup>66</sup>Villadiego, “Información,” fols. 277v–278r.

<sup>67</sup>Cisneros, *Memorial*, fols. 265v–266r. On purity of blood laws see Albert Sicroff, *Los estatutos de limpieza de sangre: controversias entre los siglos XV y XVII*, tr. Mauro Armiño (Madrid: Taurus, 1985).

<sup>68</sup>Cellorigo’s petition is thoughtfully analyzed in Stuczynski, “Harmonizing Identities.” Olivares’ attempts to reform purity of blood laws, and his failure to do so, are discussed in Elliott, *Count-Duke of Olivares*, 118–19, 298.

<sup>69</sup>López Belinchón, *Honra*, 325.

At a time of deepening economic and political crisis, the people of the Portuguese Nation—some of them “New Jews” or Judaizers, and some of them “New Christians” or Catholic Christians—seemed to embody the threats to the Iberian empires of the 1630s and 1640s. They were deemed religiously suspect, a drain on the wealth of the empire, and a potential “fifth column” in the ongoing conflict with the Dutch and the French. Furthermore, they were everywhere that the Iberian empires were, from the capital of Madrid to the colonial cities of Lima and Mexico City, from northern European outposts to tropical Goa. And yet despite their presence throughout these realms they were at the same time isolated, a “Portuguese Nation” that might hold stronger loyalty to communities of expatriate Jews in the Low Countries than to their Iberian and Iberian emigrant neighbors. They were like an infection of the body politic that had spread through the arteries of trade to every extremity of the empires; and the remedy for this infection was the Holy Office of the Inquisition. The Inquisition could address the pluriform threats of the Portuguese *conversos* and provide hope of reform for the Iberian empires, because the Holy Office was itself a global institution capable of acting across continents in the pursuit of heretics, a modern bureaucracy as described by Silverblatt. As the united Spanish and Portuguese realms imploded in crisis in the 1630s and 1640s, one global entity identified with the religious, political, and even economic fate of the empires—the Spanish and Portuguese inquisitorial tribunals—attacked another: the diasporic community of the Nation. The results would affect the empires, the Nation, and the Inquisitions for years to come.

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# Jews, Muslims, and Christians in Late Medieval Society: The Case of Ávila

*Teofilo F. Ruiz*

In José Amador de los Ríos' still authoritative *Historia social, política y religiosa de los judíos de España y Portugal*, one table documents attacks against Jews in the Peninsula between 1013 and 1482. Another records violence against *conversos* from 1449 to 1531.<sup>1</sup> Ávila is not included in either of these tables. The city was not, of course, free from sectarian violence, and incidents of anti-Jewish violence occurred during the conflicts that accompanied the Trastámaras' ascent to power in the 1360s. Ávila was also the site for one of the most notorious anti-Jewish and anti-*converso* judicial cases.<sup>2</sup>

<sup>1</sup>José Amador de los Ríos, *Historia social, política y religiosa de los judíos de España y Portugal* (Madrid: Aguilar, reprint 1973), 1029–31. Discussed in detail by Angus MacKay in his “Popular Movements and Pogroms in Fifteenth Century Castile,” *Past & Present* 55 (1972): 33–67.

<sup>2</sup>I have examined some of these sources in my previous work, *Crisis and Continuity: Land and Town in Late Medieval Castile* (Philadelphia: University of Pennsylvania Press, 1994);

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This important departure from Ávila's status as a fairly peaceful (if that word could be used to describe inter-religious relations in the Middle Ages) location for religious minorities was the so-called case of the Holy Child of La Guardia. The alleged murder of an eleven-year-old Christian boy (a hoax exposed more than a century ago by Henry Charles Lea) in the town of La Guardia near Toledo led to an inquisitorial trial in Segovia. For unclear reasons, the formal trial continued in Ávila, as did its tragic dénouement outside the city walls. On 19 November 1491, three Jews and six *conversos* were executed, the victims of a false blood libel. As Yitzhak Baer noted years ago, there were links between the hysteria generated by the alleged murder and blood libel, the Holy Child of La Guardia's swift canonization, the growing cult of the "blessed martyred child," and the Edict of Expulsion on 31 March 1492.<sup>3</sup> Notwithstanding this tragic episode, Ávila did not have a permanent Inquisition tribunal (there were only ten such tribunals throughout Castile). That absence of a permanent inquisitorial presence perhaps made a difference for *converso* life in the late fifteenth and sixteenth centuries, making Ávila an attractive location for refashioning one's identity, as was the case with St. Theresa's family and with others.

Below I examine a series of related questions: What was the nature of Ávila's Jewish and Muslim life until 1391, when Jewish presence was practically erased in most large Castilian cities? Did the religious minorities' vital artisanal and commercial contributions to Ávila's economy, especially

*From Heaven to Earth: The Reordering of Castilian Society in the Late Middle Ages, 1150–1350* (Princeton: Princeton University Press, 2004); and "Trading with the 'Other': Economic Exchanges Between Jews, Muslims, and Christians in Late Medieval Castile," in *Medieval Spain: Culture, Conflict, and Coexistence. Studies in Honour of Angus MacKay* (London: Palgrave Macmillan, 2002), 63–78. Here I focus on a larger body of evidence (chronologically and thematically) within a more extensive interpretative context. If I were to write these works today, my conclusions and the nature of the findings would be much different and better. Ávila historians, notably Ángel Barrios García, José María Monsalvo Antón, Ana Echevarría, and others, have collaborated on the impressive publication of Ávila's documents, now available to scholars in many volumes as *Fuentes históricas abulenses*, as well as on important monographic literature. The *Fuentes'* many volumes provide an almost inexhaustible mine of new information for Ávila in general and for the city's religious minorities in particular.

<sup>3</sup>Yitzhak Baer, *A History of the Jews in Christian Spain* (Philadelphia: The Jewish Publication Society, 1966), 2: 398–423. See also Henry C. Lea, *A History of the Inquisition of Spain*, 4 vols. (New York: The Macmillan Co., 1906–1907). Lea's history remains the most thorough examination of the Inquisition in Spain.

on the eve of 1391, influence the city's relative absence of violence? Why, as shown by Ávila's large numbers of Jews and Muslims who remained until 1492, and the early sixteenth century (respectively), was violence against religious minorities so much less prevalent in Ávila than elsewhere in Castile?

Although beyond the chronological terminus of this article, it is clear from fifteenth-century sources that the city became a safe haven (if there was ever a real safe haven) for Jews fleeing the violence of 1391, and for *conversos* escaping persecution in other Castilian cities (most of all in Toledo) in the 1440s. While arguing that the large numbers of Jews and Muslims in Ávila in the fifteenth century were related to their experiences in earlier centuries, I focus here on two distinct chronological periods: from the city's early twelfth-century history to the 1360s (coinciding with the Trastámara civil wars and a rise in anti-Jewish sentiment throughout the realm); and from the 1360s to 1391. I conclude with a tentative explanation of why relations between Christians and religious minorities in Ávila were relatively peaceful.<sup>4</sup>

### JEWS AND MUSLIMS IN LATE MEDIEVAL ÁVILA

We know that the number of Jews and *mudéjares* (and later *conversos* and *moriscos*) in late thirteenth century Ávila was among the highest in Castile, as revealed (certainly for the Jews although much less so for *mudéjares*, Muslims living under Christian rule) by their head tax and other fiscal contributions to the Castilian Crown. Toledo and Burgos (both with larger populations than Ávila in 1300) had the largest number of religious minorities in northern Castile before 1391 (but no Jews at all, in theory, after that date). Ávila experienced a remarkable increase in its Jewish or Muslim population after 1391. As Serafín de Tapia showed two decades ago, the number of Jews in Ávila by 1492 was probably the highest in Castile, and so were Ávila's Jewish and Muslim fiscal contributions to the Crown in the late fifteenth century.<sup>5</sup> Why was Ávila different from Toledo,

<sup>4</sup>See my "Judíos y cristianos en el ámbito urbano bajomedieval: Ávila y Burgos, 1200–1350" in *Xudeos e conversos na historia. Actas do Congreso Internacional* (Santiago de Compostela: Deputación de Orense, 1994), 2: 69–93.

<sup>5</sup>Beyond the chronological terminus of this article, Serafín de Tapia, "Los judíos de Ávila en vísperas de la expulsión," *Sefarad* 57, no. 1 (1997): 135–78, examines the 1483 record of fiscal contributions (now published in the *Fuentes*). De Tapia calculates close to 300 Jews as heads of household; see pp. 139–43, 161. As to contributions, de Tapia argues that while

Burgos, Seville, and other locations? What were Ávila's social, economic, and political contexts which allowed the three communities to live without significant antagonisms until the end of the fifteenth century?<sup>6</sup>

## POPULATION AND FISCAL CONTRIBUTION C. 1300: A SAMPLE

By the late thirteenth century, Ávila's Jewish population surpassed that of all other Castilian cities, except for Toledo, Burgos, and Seville. And large numbers of religious minorities, in proportion to the overall population, mattered. They meant financial resources, and the Crown and Church had an interest in preserving those resources. This meant that Jews and Muslims were able to maintain a significant religious community and presence (reflected in the number of rabbis and synagogues mentioned in the Ávila sources). Although more Jews than Muslims lived in late medieval Ávila, we are not taking into consideration Ávila's hinterland, where Muslims were often employed in agricultural labor.<sup>7</sup> Around 1300, Toledo had the largest Jewish population in Castile in actual numbers. Jews there were assessed a head tax of 216,505 *mrs.* (*maravedíes*) in the Huete tax ordinances of 1290/1291. Burgos followed, with a head tax on Jews amounting to 87,760 *mrs.*, plus a contribution for *servicio* (a tax voted by the Cortes on a regular basis) of 22,161 *mrs.* for a total of 109,921 *mrs.* Ávila's Jews paid a head tax of 59,592 *mrs.*, plus a *servicio* of 14,550 *mrs.*

Christians represented 75% of the population, their contributions amounted to only 33% of the taxes raised by the Crown. Jews, only 17% of the population, contributed 44.3%, while Muslims, only 8% of the entire population in the 1480s, contributed 22% to the tax assessment. See page 136 et passim.

<sup>6</sup>Further south in Andalucía, Seville's *aljama* made substantial fiscal contributions to the Crown until 1391. After that year's violence, the number of Jews and Muslims dwindled to almost nothing. Antonio Collantes de Terán has argued for a Jewish population of between 450 and 500 *vecinos* in the late fourteenth century, which is quite a large population, though inferior, according to de Tapia, to that of Ávila in 1483. None or very few remained after 1391, replaced by a large *converso* population, clustered around the Barrio de Santa Cruz. As to Muslims, their numbers were negligible and difficult to assert (32 *vecinos* in the late fifteenth century). See Antonio Collantes de Terán, *Sevilla en la baja edad media: la ciudad y sus hombres* (Sevilla: Excelentísimo Ayuntamiento de Sevilla, 1977), 206–11.

<sup>7</sup>See Maya Soifer Irish, *Jews and Christians in Medieval Castile: Tradition, Coexistence, and Change* (Washington, DC: The Catholic University of America Press, 2016). For taxes see 108–9, 124–25, 204–5 et passim. For estimating the population from the taxes paid by Jews, see 68–69.

or 74,142 *mrs.* altogether. For Francisco Hernández this amount represented a 24.41% increase in Ávila's payment to the royal coffers from previous data, indicating either an increase in the number of Jews in the city or heavier royal exactions (or both).<sup>8</sup> But the contributions made by Ávila's Jews should be considered in the context of the relative population of each of these cities. In 1300 there were probably more Jews (and Muslims) in Ávila, as a percentage of the entire population, than in either Toledo or Burgos.

Burgos probably had between 7000 and 8000 inhabitants (demographic data for the Middle Ages is a hopeless guessing game) around the end of the thirteenth century and perhaps between 10,000 and 12,000–13,000 inhabitants in the 1510s, at the height of the city's prosperity. Toledo had a far larger population, most probably over 10,000 in the late thirteenth century, and even more so around 1550 when it sought to become Castile's official capital. Ávila, in spite of repopulation efforts in the twelfth and early thirteenth centuries, was probably in the 2000–3000 inhabitants range around 1300.<sup>9</sup>

Although we cannot confidently extrapolate data from sixteenth-century sources to determine the population of each of these towns in 1300, early modern censuses are instructive in showing relative demographic resources and changes over time. Burgos suffered a severe demographic collapse during the long sixteenth century, falling behind Ávila in terms of the number of inhabitants. Toledo, failing to become the official capital of Castile in 1561, saw many of its inhabitants leave for Madrid and the royal court. Ávila, closer to Madrid than Burgos, and in a strategic location connecting with Segovia, the Escorial, Toledo, and Madrid, saw

<sup>8</sup> Amador de los Ríos, *Historia*, 916–31; Francisco J. Hernández, *Las rentas del Rey: sociedad y fisco en el reino castellano del siglo XIII* (Madrid: Fundación Ramón Areces, 1993), 1: CXLII–CXLIII et passim.

<sup>9</sup> See sections by Hilario Casado Alonso, Juan A. Bonachía, and Teófilo F. Ruiz in Carlos Estepa, Teófilo F. Ruiz, Juan A. Bonachía, and Hilario Casado, *Burgos en la Edad Media* (Valladolid: Junta de Castilla y León, 1984), 117–19; 250–52; also Ángel Barrios García's pioneering *Estructuras agrarias y de poder en Castilla. El ejemplo de Ávila (1085–1320)*, 2 vols. (Salamanca: Ediciones "Gran Duque de Alba," 1983), 1: 125–43, and the multi-volume *Historia de Ávila*, ed. Gregorio del Ser Quijano et al. Of particular interest here is volume 3, *Edad Media, siglos XIV–XV* (Ávila: Institución Gran Duque de Alba, 2006). For Ávila's Jews, see Pilar León Tello's book, *Judíos de Ávila* (Ávila: Institución Gran Duque de Alba, 1963). Besides providing a short introduction and the editing of several royal documents dealing with Jewish rights, obligations, and administrative matters in Ávila, she includes an extensive catalog of documents related to Jewish life in the city beyond 1492.

significant growth, but that occurred beyond this article's chronological terminus.<sup>10</sup>

I apologize for this long digression, aimed at suggesting that around 1300 Ávila was the third largest center for Jewish life in northern Castile, but probably the largest in terms of percentage of the entire population (at least in the city proper). As noted above, by the late fifteenth century, the Jewish (also *converso*) and Muslim population of Ávila, as shown in the sources and the secondary literature, was probably the largest in Castile.<sup>11</sup> The relationship between an estimate of the total population and the actual number of religious minorities tells us a great deal about their importance and visibility in the commercial and daily life of each of the above-mentioned cities.<sup>12</sup> But the substantial number of Jews and Muslims living in Ávila in the fifteenth century perhaps provides us with clues as to the possibility that, in the wake of the 1391 violence and the destruction of Jewish communities in Toledo, Seville, Burgos, and elsewhere, Jews may have migrated to a more peaceful Ávila.<sup>13</sup>

It is not too far-fetched to imagine around 200 Jewish families inhabiting Toledo, or over 800–1000 Jews altogether, at the end of the thirteenth century. There were ten synagogues in Toledo around 1300, and the city, as Baer has shown, was a site for some of the leading intellectual lights and financiers of the Jewish community.<sup>14</sup> By the same logic, Ávila's Jewish population on the eve of the fourteenth century should have been two-thirds that of Burgos or close to 80 families or between 320 and 360 Jews (or more than 10% of the entire population), a figure that increased

<sup>10</sup> *Censo de población de las provincias y partidos de la corona de Castilla en el siglo XVI* (Madrid: Imprenta Real, 1829), 1, 7, 57, 61, 70–71. Toledo had 5898 contributing vecinos in 1530 and 10,983 in 1594. Burgos counted 1500 vecinos in 1530 and 2665 in 1594 (after a slight recovery), while Ávila had 1523 in 1530 and 2826 in 1594, overtaking Burgos in both censos.

<sup>11</sup> See note 5 above. According to Serafín de Tapia, based on the 1483 tax document, the Jewish population of Ávila (close to 300 heads of household multiplied by 4 or 4.5 coefficient) must have exceeded 1000 people. If they represented 17% of the population, as de Tapia argues, then Ávila's entire population was easily above 6000 inhabitants by the end of the fifteenth century.

<sup>12</sup> For the population (and Jewish population) of Burgos around 1300 see *Burgos en la Edad Media*, 150, 371–72.

<sup>13</sup> For a discussion of the 1391 violence see David Nirenberg, *Neighboring Faiths: Christianity, Islam, and Judaism in the Middle Ages and Today* (Chicago & London: University of Chicago Press, 2014).

<sup>14</sup> Baer, *A History of the Jews in Christian Spain*, 1: 49–52, et passim.

to probably 1200 Jews, as shown in a 1483 fiscal census, reinforcing the idea that a large number of Jews fled to Ávila when their communities were destroyed in Seville, Toledo, Burgos, and elsewhere. Ávila was also a lively center for Jewish intellectual life and for the kind of apocalyptic ideas that swept Jewish communities in the late thirteenth century, triggered by restrictive legislation and a deteriorating economy.<sup>15</sup> Around 1300, with less overall population than Burgos and probably a quarter or less than that of Toledo, the city's small urban area *intramuros* (within which most of the Jews and Muslims lived), became a site for the quotidian commingling of the three religious groups (since Jews, and to a lesser extent Muslims, were not restricted to one area of the city).

As to Muslims, our understanding of their numbers is even more uncertain than my half-haphazard calculation of the Jewish population above. *Mudéjares'* or *moreerías'* head taxes represented a small amount when compared to the contributions levied on the *aljamas* throughout the realm. Such was the case in Toledo, Burgos, and Ávila (but not, as we have seen for Ávila, in 1483).<sup>16</sup> In Burgos, *mudéjares* paid a head tax of only 1092 *mrs.*, an amount dramatically inferior to that paid by Jews. In Burgos, though their number was insignificant, some Muslims had considerable wealth. Andalla, a *tintor* (dyer), married to doña Cienso and the son of don Inza de Pampliega (an honorific description that indicates a certain rank), sold houses to the *alcalde* of Burgos for 5000 *mrs.* (a very large sum indeed for houses in 1305).<sup>17</sup> In Ávila, though their number seemed to have been smaller than that of Jews, Muslims played a significant and visible role in the urban and, unlike the Jews, in the rural economy of the region.<sup>18</sup>

<sup>15</sup> Baer, *A History of the Jews in Christian Spain*, 1: 243–378.

<sup>16</sup> See Francisco Hernández's comments in his *Las rentas del rey*, 1: CXXXIII–CXXXV.

<sup>17</sup> Archivo de la Catedral de Burgos (ACB), vol. 41: 2, fol. 374 (9-VII-1305).

<sup>18</sup> See below. There is a vast literature on Muslims (*mudéjares*) in Ávila. See, *inter alia*, the pioneering and excellent work of Ana Echevarría Arsuaga, "Los Caro de Ávila, una familia de alfaquines y comerciantes mudéjares en el siglo XV: redes de poder y conflictos internos," in *Biografías mudéjares. La experiencia de ser minoría: biografías islámicas en la España cristiana*, ed. Ana Echevarría (Madrid: CSIC, 2008), 203–32 and her *The City of the Three Mosques: Ávila and its Muslims in the Middle Ages*, trans. C. López Morillas (Wiesbaden: Reichert Verlaag, 2011); also Serafin de Tapia, *La comunidad morisca de Ávila* (Ávila & Salamanca: Universidad de Salamanca, 1991).

## JEW, MUSLIM, AND CHRISTIAN IN ÁVILA TO 1360

It is not just the religious minorities' numbers that mattered, but their actual lived experiences and their economic role. How many individual Jews and Muslims may one identify around 1300 and beyond? What economic pursuits did they embrace? What were, whenever we are able to describe these links, their relations with the Christian majority and with each other? Where did they live and what does that tell us about the nature of Muslim, Jewish, and Christian relations and their co-existence in Ávila?<sup>19</sup>

Between my earlier work on Ávila in the 1990s and today, the number of sources (printed and digital) has grown exponentially.<sup>20</sup> The extant documentation, most of it now published, offers a window into Ávila's Muslim and Jewish economic activities and places of inhabitation. Some general points should be raised before proceeding. First, Ávila's urban space, restricted as it was by its encircling walls (projected for a small frontier town in a rather inhospitable agricultural location), was quite small in 1300. Some areas outside the eastern wall had been developed, for example around the important collegiate church of St. Vincent, adjacent to one of the city's main gates and a few steps from the cathedral; yet little urban expansion had taken place elsewhere. Moreover, within the walls no location is farther than a few minutes' walk from other places; it was unavoidable to see Muslims and Jews as one walked the city or purchased goods in the markets. Although a *judería* existed by the late fifteenth century (abutting

<sup>19</sup>For further sources for this section see Barrios García's *Documentación medieval de la catedral de Ávila* (Salamanca: Universidad de Salamanca, 1981), hereafter *DMA*. In 1979 I read, purchased a xerox copy, and began to transcribe a *Becerro de visitaciones de casas y heredades* from the Archivo Histórico Nacional, Sección Clero, códice 484B. It was shortly afterwards (1981) edited and published by Barrios García in his *DMA*, 211–481 in a far better edition and paleographical reconstruction that I would have ever done. This is one of the most important sources for the ecclesiastical, economic, and social history of medieval Castile in general and Ávila in particular. Barrios García subsequently republished the *Becerro* as part of a larger project that edits and provides in print most of the documentation for medieval Ávila: Ángel Barrios García, ed. *Becerro de visitaciones de casa y heredades de la Catedral de Ávila* (Ávila: Ediciones de la Institución "Gran Duque de Alba" de la Excma. Diputación Provincial de Ávila: Ediciones de la Obra Cultural de la Caja de Ahorros de Ávila, 2005). See also Tomás Sobrino Chomón, ed., *Documentos de la catedral de Ávila (1301–1355)* (Ávila: Institución Duque de Alba, 2009), and Tomás Sobrino Chomón, ed., *Documentos de la catedral de Ávila (1356–1400)* (Ávila: Institución Duque de Alba, 2010).

<sup>20</sup>For my work on Ávila almost twenty years ago see my *Crisis and Continuity: Land and Town in Late Medieval Castile, 177–78, 227–31*, et passim; and *From Heaven to Earth: The Reordering of Castilian Society in the Late Middle Ages, 1150–1350*, 83, 99, et passim.



the walls' eastern inner section, and within steps of the cathedral and the city gate leading to San Vicente) and there was also a Muslim *aljama* located outside the city walls during the same period, no area could be segregated enough to prevent daily contact.

Second, most of the information about Ávila's individual Muslims or Jews is gathered from purchases and leases of property. In the absence of notaries in thirteenth- and early fourteenth-century Castile, records of these transactions, often drawn up by ecclesiastical or "public" scribes (*escribanos*), were archived in Ávila's cathedral. This also helps explain the peculiar tendency of the documents to reflect Jews or Muslims *exclusively* selling property to Christians but never the reverse. The explanation is quite simple. Ecclesiastical archives mostly kept documents that recorded the history of properties eventually purchased by the cathedral chapter, by other churches, or donated to ecclesiastical institutions. The extant documentation is therefore the tip of a proverbial iceberg. We see the manner in which property, once held by religious minorities, ended up in the hands of canons through purchase or donated to the Church later on. But the documentation's internal evidence shows that Jews and Muslims had bought abundant property in Ávila before and after 1300; otherwise how did they come to hold these properties?

Third, Jews' and Muslims' property transfers to Christians became far more numerous around the end of the thirteenth century than in any other period in medieval Ávila. Within a few years around 1300, Jewish and, to a lesser extent, Muslim property was sold exclusively to members of Ávila's cathedral chapter. These transactions, sometimes for substantial sums, reflected the importance of urban real estate in Ávila's overall market for land, houses, and stores (*tiendas*). All the property sold by Jews and Muslims was urban in nature and located in strategic places within the city walls. Here it suffices to note that Jewish properties' prices were usually much higher than the few sales of urban property by Christians. Did the price include interest payments for loans, or other such dubious economic transactions? The sources do not throw light on the fact that Jewish and, sometimes Muslim, property sold on the whole at a higher price.

Fourth, there is no evidence in the documentation for the late thirteenth century, or for the period up to and including 1391 and beyond, of violent antagonism between or against the two minority religious groups. Muslims, Christians, and Jews lived in close proximity to each other. Some of the houses or stores that Jews sold to Christian ecclesiastics abutted the dwellings of other Muslims, Jews, or Christians. Transactions of property

always included substantial information as to who lived next door, the street upon which the property was located, what properties were across the street, or behind, and other such information that allows us to place the holdings within Ávila's topography. Jews and Muslims also often served as witnesses and guarantors for each other. The information available is so extensive that, if I were to illustrate every aspect of Jewish (or Muslim) life in Ávila in the late Middle Ages, a book or several books would be required. Because of the limitations of space, what follows is just a small sample of the complex history of religious minorities in late medieval Ávila.

### CASE STUDIES

On 12 August 1299, Zuleman (or Çuleman) Cencerro, a "Jew of Ávila," sold half a house and a stable located on the street of Brieva to the dean of Ávila's cathedral chapter for 143 *maravedies* (*mrs.*). The property was adjacent to that of doña Lumbre, the widow of Salaman Abenffared, both Jews. Haçan, the son of Ali, a "Moor of Ávila," together with the above-mentioned Çuleman, guaranteed the transaction. In 1300 Ávila, a Muslim agreed to guarantee a Jew's sale of property to the dean of the cathedral chapter. The dean (and eventually the chapter) now owned a house adjacent to that of a Jewish woman. In the cal de Brieva (running parallel to the western side of the wall) and a short two blocks from the cathedral, many Jews lived and sold their property, including structures that remain part of Ávila's urban landscape to this day. Ávila's architectural association has its present office on 2 cal de Brieva.<sup>21</sup>

These transactions of property or rental agreements between the cathedral chapter of Ávila, Jews, and Muslims do not inform us, however, as to the character of Jewish (and Muslim) religious life, an important aspect of their presence in the city. In the late thirteenth century Ávila witnessed a great deal of Jewish messianic agitation. Gershom G. Scholem notes the "evidence of mystical experience even among the unlearned. An example of this is the appearance as a prophet in Avila in 1295 of Nissim b. Abraham, an ignorant artisan, to whom an angel revealed a kabbalistic work."<sup>22</sup>

<sup>21</sup> DMA, doc. 184 (12 August 1299).

<sup>22</sup> Gershom Scholem, *Kabbalah* (New York: Dorset Press, 1974), 57. León Tello, *Judíos de Ávila*, 7–8.

None of that agitation, most probably accompanied by preaching and the composition of signal texts in the Jewish apocalyptic tradition, can be discerned from the extant ecclesiastical documentation. Although rabbis are mentioned frequently in the sources from the mid-thirteenth century to 1492 (was that simply a title, or reflective of religious functions?), as are synagogues, there is nothing in the documentation, with its focus on Jews' trades and their role in transfers of properties, that describes religious activities. As Scholem argued, Moses of León, to whom he attributes the composition of the central Kabbalistic text, the *Zohar*, owned a house in Ávila and lived the last years of his life there. His daughter married Joseph, a rich Jew of Ávila, inheriting the house after Moses' death in 1305. Did messianic expectations linked to Kabbalah play a role in the decisions of Jews who sold their property in Ávila around 1300? Something similar happened in Western Europe with the false seventeenth-century Messiah, Sabbatai Zevi.<sup>23</sup>

### JEWS AND MUSLIMS AS ECONOMIC ACTORS, 1183–1360

In the cathedral of Ávila's documentation, the first record of a property transaction dates back to 1183. By the 1360s, the Black Death and the civil war between Pedro I (1350–1369) and his half-brother, Henry of Trastámara (soon to be the new king of Castile, 1369–1379), triggered economic and political upheavals throughout the realm and actual violence against Ávila's Jews.<sup>24</sup> While economic transactions provide only incomplete information, changing over time, they illuminate Jewish and Muslim economic roles and activities, as well as patterns of inhabitation, rentals, and ownership within the city's walls. We also get a valuable guide to the number of Jews and Muslims in an early fourteenth-century cathedral chapter's census of its properties.

<sup>23</sup> Gershom G. Scholem, *Major Trends in Jewish Mysticism* (New York: Schocken Books, 1973), 190–91. Would this Joseph be one of the numerous Yuçafs in the Ávila documentation, including a royal agent in the early thirteenth century? When Abraham Elguer and his wife Oro Sol sold property to Pascual Sánchez, cleric of San Vicente of Ávila, the property was adjacent to houses owned by Abraham, the rabbi. *DMA* doc. 183, pp. 183–84 (28 July 1299).

<sup>24</sup> See Julio Valdeón Baroque, *Los conflictos sociales en el reino de Castilla en los siglos XIV y XV* (Madrid: Siglo XXI, 1975).

### *Real Estate Transactions*

Between 1183 and 1360, there are around 138 extant transactions of land and real estate (not included are five exchanges of property with no money being exchanged, or rental agreements). After 1360, the chapter changed its economic strategies, leasing rather than purchasing houses and landed property from Ávila's citizens, including Jews and Muslims (see below).<sup>25</sup> The number of transactions involving Jews and Muslims was substantial and concentrated on the waning years of the thirteenth century (between 1296 and 1301).

In these transactions of property, Jews and Muslims sold their urban property exclusively to members of the chapter. Jews and Muslims had, of course, wider economic roles (shown incidentally by the records of transactions), but these extant documents represent religious minorities as sellers of houses, stores, holding pens, and the like within the walls of the city or adjacent to the city gates. While the documentation is skewed to show only certain types of transactions (purchases by clergymen that ended as donations to the cathedral), and there is no accounting for documents that have not survived, and so forth, altogether sales by religious minorities accounted for almost 18% of all the transactions. Yet Muslim and Jewish sales of houses—more of the selling done by the latter than by the former—still constituted the bulk of all the urban transactions. Before 1360, close to 75% of all extant urban transactions recorded the transfer of urban properties owned by religious minorities to ecclesiastics (16 out of 21). We are faced then with questions as to why they were selling in what was—as is obvious from the apparent paucity of transactions and the high prices of real estate—a tight market for urban properties? Even more significant, why did the cathedral chapter engage in such active purchasing of urban property, especially from Jews and Muslims? We must postpone an answer to these questions for later, but these transactions do not show anti-Jewish or anti-Muslim biases.

Even within the overall number of transactions (rural and urban), Jews and Muslims had a significant presence in the market for land and urban property. This is much more evident since one single person, Blasco Blázquez (d. ca. 1308), a citizen of Ávila, *juez del rey* (royal judicial

<sup>25</sup> Drawing from numerous sources, printed and manuscript alike, with the usual duplication, it is not always easy to provide a final number. If it seems low for the long expanse of time being considered, one ought to remember the nature of ecclesiastic archives that served, almost exclusively, as repositories for property purchased or donated to the cathedral of Ávila.

official), archdeacon, and, eventually, dean of the cathedral chapter, purchased by himself or through his agents most of the rural property for which we have evidence in the extant records (close to 50 purchases). Between 1284 and 1302, Blasco built a rural estate in Cornejos and in Serranos de Avianos, two villages in Ávila's hinterland. If we take him and his relatives' transactions out of the equation, then the proportion of Jewish and Muslim participation in the market for land and urban real estate is substantially higher. Transactions in later thirteenth-century Ávila may be summarized as follows: Blasco bought in the countryside, while Jews and Muslims sold, though not to Blasco, in the city.<sup>26</sup>

What do these sales of property tell us about Jews' and Muslims' economic roles in Ávila? What do they tell us about their commingling with each other and with Christians? These transactions provide valuable information beyond the identities of sellers or buyers. We learn about the witnesses to these transactions, their ethnic or religious affiliations, their trades, adjacent properties and stores, property locations, prices, and the type of property being sold.<sup>27</sup> All this information offers us a partial portrait of Ávila's religious minorities at a particular moment in time, as well as of Ávila's economy before the late medieval crisis. Between the twelfth century and 1360 our query may be posed in three distinct ways: What are the references to religious minorities in the documentation? What can we learn about Jewish and Muslim economic roles? What does an inventory of the chapter's holdings (ca. 1303) tell us about religious minorities in the city?

### *Muslims and Jews in the Ávila Documentation to 1360*

On 10 August 1197, don Martinus, the prior of Ávila's cathedral, drew up his last will and testament. The document, listing the usual pious donations to churches, the poor, legacies to friends and relatives, and other bequests, also attests to the presence of Muslims in Ávila almost a century after its settlement in 1088. Since Ávila was a new town in a sparsely populated border region between Islamic and Christian territories, what this and other documents may indicate is that Muslims and Jews migrated to

<sup>26</sup> For Blasco Blázquez and a detailed account of his purchases and sellers see Ruiz, *Crisis and Continuity*, 151–54.

<sup>27</sup> As for trades, other economic activities, and a comparison with Burgos see Ruiz, *Crisis and Continuity*, 229, 278–79.

the city at some time in the twelfth century and afterwards. Martinus' testament, describing the boundaries to his properties, mentions three stores owned by Domingo Semeno Esquierdo's widow and houses inhabited by Alazrach and another by Molpha. Both houses were in the street of Albarderos (a street identified with trade and/or artisan work). Don Martín also donated a house that had once been Cara Dob's property. More revealing, in one of his testament's codicils, he donated beds, bed clothing, clothes, and grain to his "duabas mauris mei, videlicet Zema et Fatima."<sup>28</sup>

While it is most likely that not everyone mentioned in the testament was a Muslim (Cara Dob must certainly have been either Jewish or Muslim), the two "Moorish women" belonging to don Martín are specifically identified as such. Were they slaves? The sentence "duabas mauris mei" (note the intrusion of the vernacular into twelfth-century Latin) seems to indicate that; yet, the terms of the will showed a great deal of consideration. Beds and bed clothing, especially pillows, were coveted items in the medieval West. Zema and Fatima were not exceptions. Muslims and Jews appear in the Ávila documentation without being directly associated with the market for land and real estate, but none of these notices are as descriptive as the actual transactions of property between religious minorities and Christian clerics in the period 1296–1301.

Religious minorities sold property to clerics in the 1270s, close to the mid-fourteenth century, and even in the period after 1391. Nonetheless, as shall be seen below, after 1360 there was a clear shift from the chapter's purchase of real estate to its granting of numerous rental agreements (*censo*) to Jews and Muslims. But what do these late thirteenth-century sales, to return to the topic at hand, tell us about economic activities, patterns of inhabitation, and relations between the three religious groups?

On 14 December 1296, doña Cara, the widow of Abdalla el Alatar, and her son Muhamad sold to don Fernando, a canon of the cathedral chapter of Ávila, two stores in the Alhateria. The two *tiendas* had as their boundaries another store owned by the aforementioned doña Cara, and one owned by the chapter of San Benito in Ávila. The price paid was 150 *mrs.*, not a high price in terms of urban property but far superior to the average rural transaction. Mahomad, the son of Yuçaf Gil García (was this a *mudéjar converso*?), formally drew up the boundaries of the property, while doña Cara's sons, Haziz, Yuçaf, Muça, and Hamad, plus her two daughters,

<sup>28</sup> DMA, doc. 40: 35–37.

Hatima (Fatima) and Zohra, served as guarantors for the transaction. Besides confirming women's rights of inheritance (as was the case with Christian women in medieval Castile), we learn, in the final paragraph of the record for this transaction, that the Muslims mentioned above recognized Blasco Muñoz as their lord ("esto fizieron estos moros dichos ante su sennor Blasco Munnoz..."), raising the issue of some kind of "vassalage" relationship between Muslims and Christians, or at least between these Muslims and that Christian.<sup>29</sup>

In this particular document, nine Muslims are mentioned. We learn that at one time they owned three *tiendas*, though we do not learn what they sold or produced in them. They were located in the Alhateria, an area known for the jewelry business. We also have the crucial information that an Ávila *mudéjar* was entrusted with determining the boundaries of the property, and that he was the son of someone whose name reveals a dual identity: a Muslim name and a Christian surname. Far more significant, the Muslims involved in this transaction were under the jurisdiction of a Christian belonging to the patrician ruling elite. Clearly, they were not slaves or serfs; yet they were tied to someone else's jurisdiction or lordship. Did other Muslims in Ávila face a similar situation?

There is, at least, one more case that deploys a similar formula. On 12 August 1299, Çuleman Çencerrado, a "Jew of Ávila," sold half of a house, an underground storage place, and a portion of a *corral* (a holding pen for livestock) to the dean of the cathedral of Ávila for 143 *mrs*. We will examine this transaction in greater detail later, but it is worth noting here that the person serving as guarantor for the transaction was Haçan, the son of Ali, an Ávila Muslim. Not only do we thus have evidence of Muslims living in close proximity to each other, to Jews, and to Christians, but also serving as financial guarantor for a Jewish-owned real estate transaction. The document includes, extraneous to the actual transaction and set apart from the body of the document (some legal point was probably being made), the following sentence: "So said I, Haçan, the aforementioned Moor, before my lord (*sennor*) don Blasco, the aforementioned (who was

<sup>29</sup> DMA, doc. 169: 163–64. For a discussion of many of these transactions, see my "Trading with the 'Other': Economic Exchanges Between Jews, Muslims, and Christians in Late Medieval Castile," 63–78.



responsible for examining the boundaries of the property) ... that he was my lord and I his Moor.”<sup>30</sup>

When we turn to Jewish urban real estate sales to Christian ecclesiastics in the waning years of the thirteenth century (1296–1300), the evidence provides glimpses into important social and economic issues affecting Jews in medieval Ávila. The number of transactions recording Jewish sales of urban properties over a four-year period amounted only to ten altogether, although, as argued above, Jews (and Muslims) must have been far more involved in the market for real estate than these documents show. The internal evidence indicates that Jews had purchased some of the houses being sold in the recent past, but the records for these transactions are no longer extant. The documents included the names of 63 Jews (52 males and 11 females). One of them, Yuçaf, is described as “judío del rey.” Others (but not many before 1360) are mentioned as “vecinos and moradores” of Ávila (see below).<sup>31</sup> These contracts also mentioned four Muslims, either acting as officials verifying boundaries, as guarantors, or as owning an adjacent property.

As to what was sold, the documents mention close to fifteen houses, two stores, two holding pens for livestock, and one piece of vacant land (within the city walls). No document reported the sale of a single house by itself. More often than not, the documents describe the transfer of “a couple of houses or four houses.” As to prices, they ranged from 143 *mrs.*, an amount that compares well with the 100 *mrs.* paid by Blasco Blázquez to Martín Jimeno for a plot of land (a *yugada*, or the amount of land that could be plowed in a day by a team of oxen), a house, a garden, grazing lands, flax fields, wooded areas, and other property in Serranos de Avianos in 1297; or the half a house in the street of Brieua, also sold for 100 *mrs.* by Blasco Fernández, a knight of Ávila, to the dean of the cathedral chapter.<sup>32</sup> Other prices ranged from 220 to 1300 *mrs.*, with a high average price of 798 *mrs.* for all the transactions.

<sup>30</sup> *DMA*, doc. 184: 185–87. “Esto fiz yo Haçan, el moro dicho, ante mi sennor don Blasco el sobredicho, que se otorgó por mi sennor e yo por su moro.”

<sup>31</sup> *DMA*, docs. 170, 171, 176, 177, 179, 180, 182–84: 164–87. See doc. 170 for Yuçef de Cancres, “vezino e morador de Ávila.” See also Cándido María Ajo González y Sáinz de Zúñiga, *Inventario general de los archivos de la diócesis de Ávila...* (Madrid: CSIC, Institución Alonso de Madrigal, 1962), doc. 30: 105 for “judío del rey.”

<sup>32</sup> *DMA*, doc. 174: 170–71; doc. 181: 180–81. In this last transaction three Jews, a father, Çag Almannar, and his two sons, Yago and Mosse, served as guarantors for the sale. These Jews are not included among those listed above.

The Jewish properties sold between 1296 and 1300 were often located in the center of the town or close to either the cathedral or the city's main marketplace (*Mercado grande*, outside the walls and close to one of the main gates of the city). Four of the transactions occurred on the street of Brieva. Another one was adjacent to a Jewish butcher shop. Ecclesiastics purchased all the properties listed here, with the cathedral's dean accounting for half of them. These acquisitions were focused on locations where the dean or the cathedral already had significant holdings. In addition, two of the Jews mentioned are identified as rabbis. One of them worked as a dyer, a trade also practiced by another Jew mentioned in the documentation.

Between 19 February and 12 August of 1299, five extant documents record the selling and buying of urban property on the street of Brieva. One of them only involved Christians. The other four documents registered Jewish urban property sold to the dean. Except for one of the purchases (amounting to 600 *mrs.*), the dean paid the lowest amounts recorded for property purchased from Jews: 143, 220, and 260 *mrs.* respectively—between 1296 and 1300. I focus here on adjacent properties and familial relations for what they tell us about patterns of inhabitation and kin relations.

In the first example, Mossé de Dueñas and his wife, Çid Buena, sold a pen for livestock and four houses (representing half of their holdings on the cal de Brieva) to the dean don Gómez Sánchez. The property sold abutted those houses still held by Mossé and Çid. Those sold and those that remained in their possession had been the property of Salamón Abehered, Çid's father (by then deceased). Adjacent were also the houses of doña Lumbre, the widow of don Salamón and mother of Çid, that of Yhuda, Çid's brother, and a Christian household. An ecclesiastical institution (not the chapter) also owned houses adjacent to Mossé and Çid's properties. Don Blasco (a Christian) undertook the *amojonamiento* or setting of boundaries to determine the property's boundaries.<sup>33</sup>

A few weeks afterward, on 7 April, Era Bueno, the widow of Salamón Tartiela, and her son, Abraham, also sold to the dean, don Gómez Sánchez, a set of houses (*a solar de casas*), some vacant land, a holding pen for animals, and other property for 269 *mrs.* The properties were similarly located on the cal de Brieva. These adjacent properties are the most significant clue as to patterns of inhabitation on the cal de Brieva in particular and in

<sup>33</sup> DMA, doc. 177: 174–76.

Ávila in general. Abutting Era's property there was a *corral*, a holding pen known as that of Çag Almannel. On the other side we find the property of Mossé, Granuja's son, and the dean's houses that he had purchased from Yhuda (see above), as well as other property belonging to a Christian.<sup>34</sup>

The dean purchased two additional properties on the same street that year. For the sake of brevity, I summarize them here. On 22 June 1299, two Jews sold property adjacent to that of doña Lumbre to the dean for 220 *mrs*. The property had originally belonged to Çulemán Cencerrado's two sons. One of the Jews determining the extent of the property was Çag Almannel's son, Yago. In the other and final transaction that year, on 12 August 1299, Çulemán Cencerrado sold half of a house, a basement, and part of a holding pen to the dean for 143 *mrs*. The property, once again, abutted that of doña Lumbre (whose urban holdings in Ávila seemed to have been extensive), as well as the houses that the dean already owned on the street of Brieva.<sup>35</sup>

In this small sample we see Jewish families living among Christians, or with their properties next to houses owned by the chapter (and usually rented out to either Christians, Muslims, or Jews). Close kin relations dictated patterns of inhabitation. Daughters inherited parts of their parents' property, adding to our understanding of female inheritance in Castile. One particular woman, Çid Buena, lived with her husband in her former parental household. Doña Lumbre, who is mentioned in several of these documents, lived next door to her daughter. Her son, Yhuda, probably lived with her as well, pointing to the pattern of inhabitation that favored kindred and religious groups living close to each other. We also see the dean actively building the cathedral chapter's holdings on the *cal de Brieva*. The documents do not show the presence of additional stores or other business activities. Instead, we have evidence of a street just two blocks from the cathedral that was not fully urban, with holding pens, empty land, and houses. Yet, the prices, the lowest for all Jewish and Muslim urban transactions in the waning years of the thirteenth century, were also far higher than those paid to Christians for similar property in the same street. This evidence, as limited as it is, can be complemented with abundant evidence for Jews and Muslims commingling with Christians in Ávila at the turn of the century.

<sup>34</sup> *DMA*, doc. 179: 176–78.

<sup>35</sup> *DMA*, docs. 180 and 184: 178–79 and 185–87.

*Jews and Muslims as Renters of the Cathedral Chapter's Property*<sup>36</sup>

As sponsored by the dean, Blasco Blázquez (who we have already met as a prodigious purchaser of rural property in Serranos de Avianos), the *Becerro de Visitaciones* recorded the property owned or held by the chapter, the name of the person holding the lease (*censo*), and how much income from each property was assigned to individual canons as their benefices. Compiled around 1303, it was part of a general trend among ecclesiastical establishments to make inventories of property and rights in late thirteenth- and early fourteenth-century Castile.<sup>37</sup> As its dating overlaps with the transactions of real estate examined above, the *Becerro de Visitaciones* also offers a rather impressive partial census of Jewish and Muslim presence in Ávila. For our purpose, there are two listings in the *Becerro de Visitaciones* that are relevant for this inquiry: the listings of rents collected in the city of Ávila proper (described by street location) and then a subsequent entry of the cathedral chapter-owned houses in Ávila, along with renters or inhabitants' names. Although these two entries often overlap, close to one hundred Jews and Muslims are mentioned just for the city of Ávila, with a lesser number for the small towns and villages in Ávila's diocese.<sup>38</sup> This is a very large number that, when multiplied by the lowest coefficient (4), yields a minimum of 400 Jewish and Muslim individuals in 1303 Ávila. Their numbers were obviously much higher.

Many of the names coincide with the ones mentioned in property transactions in the late 1290s; that is, they sold to the chapter and then often rented their former property. Yet, it is probable that not all Jews and Muslims rented or held property from the chapter, leaving us with questions as to what their real demographic profile was. Nonetheless, the *Becerro de Visitaciones* forcefully confirms a portrait of a city in which, although Jews and Muslims preferred some neighborhoods to others (the street of Zapateros, the Yuradero, and other locations), there was, at least until the fifteenth century, a fairly widespread pattern of inhabitation that brought together the three religions in close proximity. In Ávila, where, as

<sup>36</sup> Besides the *DMA* version, as explained in note 19 above, Barrios García has more recently edited and published a revised version of the *Becerro de visitaciones de casas y heredades de la catedral de Ávila* as part of the *Fuentes históricas abulenses* # 64 (hereafter *Becerro de Visitaciones*), which will be cited in this section.

<sup>37</sup> See my *From Heaven to Earth*, chapter 4.

<sup>38</sup> *Becerro de Visitaciones*, 27–36 and 193–222.

already noted, the space bound by the walls was limited, daily contacts would have been unavoidable.

Muslims, Jews, and Christians interacted economically through a diversity of trades. From Ferosa and others (engaged in cloth manufacturing), Haziz the locksmith, Samuel and Yuçaf the blacksmiths, numerous money brokers (including women), and Abdalla the painter, to the mention of many stores, as well as numerous references to *albarderos* (or saddle makers or sellers), the *Becerro de Visitaciones* is also a guide to these religious minorities' economic activities. Often, these businesses were next to a church, as was the case with the tiendas next to the church of St. John where Aborreb, a money broker, lived, or even in the shadow of the cathedral of San Salvador itself.<sup>39</sup>

The *Becerro de Visitaciones* also identifies a rather large number of rabbis, synagogues, and Jewish butcher shops, as well as Muslims and Jews holding rural property from the chapter in Ávila's hinterland. Although the latter evidence appears in a limited fashion, it also confirms that Muslims were actively engaged in rural work in the region. The census also provides glimpses into the quotidian trials of owning and renting houses. In 1302, water falling from the synagogue's roof in the street of Yuradero (a main commercial thoroughfare) did damage to the chapter-owned house next door. Rabbi Abraham Truchas and Çag Muçacho (a large Jewish family with many mentions in the late thirteenth- and early fourteenth-century documentation) lived there. A similar problem occurred with Yuçaf Davila's property: water from the roof was damaging an adjacent chapter-owned house.<sup>40</sup>

### BEFORE THE PLAGUE, CA. 1300–1350

During the first half of the fourteenth century, important changes occurred, pointing to new directions in the chapter's patterns of acquisitions that would become more evident in the second half of the century. All the transactions recording the sale of Jewish property (seven altogether), and that of one single Muslim sale of real estate, occurred between

<sup>39</sup> *Becerro de Visitaciones*, 31, 33, 36, 193, 202, 210–12, 217, 222 et passim.

<sup>40</sup> *Becerro de Visitaciones*, 36, 45–47, 84, 144 for religious minorities and rural property; 34, 200, 206 for rabbis, butcher shops, and water damage.

1301 and 1316, and only one afterwards.<sup>41</sup> The chapter ceased to purchase real estate from religious minorities or from others as well. In 1341–1342, however, don Samuel, the son of don Yuçef, sold houses, holding pens (*corrales*), and stores (*tiendas*) to the dean of Ávila's cathedral chapter, don Alfonso Ferrández, for 4000 *mrs.* This is the largest amount paid for Ávila's real estate in the Middle Ages. The strategic location of the property (on a corner of the city walls) may have made this an expensive property, but the money was not to benefit don Samuel. It was to be transferred directly to the king's treasury as part of the Jewish community's payment of *servicio* to the king. Don Samuel was under substantial pressure to pay to the king's agent, Gonçalo Alffón de Oviedo, the outstanding communal debt. While Jews served as witnesses, the contract also revealed that the chapter owned all of the houses adjacent to don Samuel's property. It is difficult to elucidate what the role of the chapter was in the transaction, but it allows us to speculate as to the close financial relationship between king, Church, and the Jews.<sup>42</sup>

Furthermore, in 1301 two Jews lent money (300 *mrs.* each) to individuals in Serranos de Avianos. We know from the sources that there were Jewish money lenders in Ávila, but here are two clear examples of Jews lending to Christians in rural areas, a pattern found elsewhere throughout Castile. The same year, however, these two Jews (one of them Manuel, son of the rabbi Manuel; the other Menahén, son of Samuel Aben Habib) renounced (*renuncio*) their rights to payment of the loan, transferring the debt obligations to Blasco Blázquez, archdeacon of Ávila. Were they serving as intermediaries for the archdeacon in a money lending scheme and in his purchases in Serranos de Avianos?<sup>43</sup> What were, once again, the economic links that bound churchmen and Jews together in Ávila?

As to Ávila's Muslims, 1300s–1391, Ana Echevarria's superb study of the Ali Caro kin group (cited above) provides a vivid and insightful view of the presence of a Muslim family in fourteenth- and fifteenth-century Ávila. Scholars of Muslim law, leaders of the *mudéjar aljama*, artisans, merchants, and engaged in medical practices, Ali Caro and his descendants appeared as one of Ávila's leading Muslim families. They also paid a *censo*

<sup>41</sup> *Documentos de la catedral de Ávila (1301–1355)*, # 17 (1301), houses in the Yuradero (or Juradero) neighborhood in Ávila; # 62 (1314), houses in the same neighborhood, # 66 (1314); # 74 (1315); 79 (1315) # 84 (1316). The Muslim sale took place in 1315, # 71.

<sup>42</sup> *Documentos de la catedral de Ávila (1301–1355)*, # 140 (1341, 1342), 282–86.

<sup>43</sup> *Documentos de la catedral de Ávila (1301–1355)*, # 3, 4, 23, and 24 (1301).

for property owned by the cathedral chapter within the city walls. Their enduring presence in the city for two centuries reflected the fluid relationships between all three religious groups. Ávila's Muslims, as Echevarría notes, had their own mosque, located next to the church of San Esteban within the walls. Churches, mosques, and synagogues were all in close proximity. Muslims, Jews, and Christians lived next to each other. That was medieval Ávila before 1391.<sup>44</sup>

### TOWARDS 1391

Between the 1350s and the waning years of the fourteenth century, momentous changes occurred in the ecclesiastical economy of Ávila and in the juridical status of Jews and Muslims in the city. The number of Jews and Muslims selling property declined sharply, while their mention in rental agreements rose rapidly. Reflecting the chapter's new economic strategies, purchases declined overall while the leasing of urban property (*censo*) increased dramatically. Of the 112 documents extant for this period in the cathedral archive, most were either rental agreements (mostly urban) or royal privileges. The cathedral purchased houses within the city walls from Jews only twice. No urban property was bought from Muslims. One of the sales involved houses sold by Mosé Aben Habib for 400 *mrs.* in 1379; the other recorded Rabbi Mosé Alvo's sale of houses next to a synagogue in the neighborhood of San Silvestre for 1000 *mrs.* in 1387.<sup>45</sup> In both cases, the transactions were followed up by documents confirming the agreements, listing numerous witnesses, and faithfully including the required legal procedures. This last transaction is the closest to the fateful year 1391. Nowhere in the sources is there evidence of the coming storm.

In contrast to the paucity of real estate transactions, the chapter engaged in a large number of lease agreements (most of them in the 1370s and 1390s). Cathedral sources show the chapter leasing urban property to Jews twenty times, and five to Muslims. In addition, León Tello's catalog of documents from the Archivo Histórico Provincial de Ávila lists twenty-one other leases to Jews, with seventeen of them taking place in the 1390s

<sup>44</sup>Echevarría Arsuaga, "Los Caro de Ávila, una familia de alfaquíes y comerciantes mudéjares en el siglo XV," 203–32; see also Serafin de Tapia, *La comunidad morisca de Ávila*.

<sup>45</sup>*Documentos de la catedral de Ávila (1356–1400)*, # 83 (1379) and # 94 (1387). This does not include the documents listed by Pilar León Tello, *Judíos de Ávila*, 120–21, listing five rental agreements between 1391–1393, one of them by a Jewish woman.



after waves of anti-Jewish violence elsewhere. None of them reflected those conflicts.<sup>46</sup> Not all rental agreements, however, were alike. Most censos were long-term leases. They were emphyteutic arrangements, often for life, providing full usufruct of the property. Some of them granted rights to alienate the property (with permission of the chapter); others did not. What we see is that after almost a century and a half of purchasing most of the urban and rural property in and around Ávila, the chapter began to generate income from its holdings through leasing. Jews and Muslims were a significant part of this new economic strategy. I should not fail to mention that two of the renters (three transactions) were Jewish women, all engaged in trade: the widow Azi Buena (mentioned twice) and Cid Buena, a tailor. Azi Buena is described in 1375 as a *linolera* (working linen). Prosopographical studies of these families, their work, and inhabitation patterns still need to be done.<sup>47</sup>

Altogether, seventy-three Jews (plus the large number listed by Pilar León Tello) are mentioned in the cathedral documentation, as well as eighteen Muslims, either as renters, witnesses, holding adjacent properties, and so forth. Among the Muslims, Ali Caro's descendants still played a major role. Examples of these documents follow along the patterns of the case studies examined before, and there is no need to revisit the patterns of inhabitation and employment.

What I am most interested in here, as we come to the end of this contribution, is the evolving juridical definition of Ávila's Jews and Muslims. Up to the second half of the fourteenth century, religious minorities were often identified as "a Jew of Ávila" or a "Moor of Ávila." By the 1370s, most of the Jews involved in transactions with the chapter, twenty-two in total (some of the lease agreements were undertaken by more than one individual), and all the Muslims, are described as "vecinos de Ávila." Only four Jews are identified by the old appellation "judío de Ávila," and that occurs in the 1360s and in 1371. The two women engaged in the leasing of property are also described as "vecinas." As for the two sellers, one was described as a "vecino" and the other as a "judío de Ávila."

In medieval urban nomenclature, the documentation describes those named as either *morador* (inhabitant, resident) or *vecino*. As per the Real Academia's dictionary, the latter meant those who made contributions to the tax assessments, had a legal residence in the town, and enjoyed specific

<sup>46</sup> León Tello, *Judíos de Ávila*, 120–21.

<sup>47</sup> *Documentos de la catedral de Ávila (1356–1400)*, # 43 (1371), 53 (1373), 69 (1375).

rights.<sup>48</sup> Though there are references to Jews and Moors as *vecinos* before 1350, they were rare. What happened in 1370s Ávila that led to granting Jews and Muslims these extended rights of *vecinaje*? An important legal development, it may be a reflection of Jews' and Muslims' enduring role in Ávila's economy and social fabric before 1391, and it foreshadows the rapid growth and prosperity of both communities in the fifteenth century.

### HOW COULD THE RELATIVE ABSENCE OF VIOLENCE IN ÁVILA BE EXPLAINED?

In the past I have argued that the particular social and economic structures of Ávila and Burgos' ruling elites determined the Jews' (and Muslims') contrasting histories in Ávila and Burgos (the former fairly free of violence; the latter ending in the destruction of the community in 1391). I still think this explanation is correct, though with added explanations.<sup>49</sup> Ávila may have been less violent towards religious communities for a variety of reasons. Ávila's patrician elites, unlike those of Burgos and other Castilian urban centers, derived their income almost exclusively from land rents and, most of all, from transhumance. Moreover, earlier than elsewhere, the Ávila patriciate acquired an aristocratic veneer. Known from the twelfth century onward as Ávila de los Caballeros (knights) or Ávila del Rey (because of its military support for Alfonso VII in his conflict with his stepfather, Alfonso the Battler), Ávila's mounted militia, its non-noble knights, played a significant role in the Christian raids into the south in the twelfth and thirteenth centuries. Every other Castilian city had a mounted militia and participated in the conflicts of the age, but none, as far as I know, to Ávila's extent.

With estates in the Ávila hinterland (but with holdings within the city walls as well), organized as lineages at an earlier period than in other

<sup>48</sup>The definition of *vecino* comes from Richard Ibarra's chapter of his forthcoming thesis (based upon Tamar Herzog's *Defining Nations*): "*Vecinos*, or denizens, were incorporated members of a particular community (whether a city, town, or village). Their membership came with a number of privileges, such as access to communal lands and some participation in local governance, as well as some duties, including potential taxes and military service to the community."

<sup>49</sup>See my "Judíos y cristianos en el ámbito urbano bajomedieval: Ávila y Burgos, 1200–1350," 69–93, and an English revision in my *Crisis and Continuity: Land and Town in Late Medieval Castile*, 272–80.

Castilian urban centers, and clearly in control of the cathedral chapter by the late twelfth century, the Ávila patriciate eschewed artisan and trade pursuits, allowing Jews and Muslims to fill those pursuits. In Burgos, the patrician elite depended on the income generated by trade and artisan activities to maintain horses, weapons, and their privileged position. In Burgos and other towns throughout Castile, the patriciate engaged in direct competition with Jews and Muslims for profits, often excluding them from these pursuits.<sup>50</sup> In Ávila that was not the case. As Monsalvo Antón pointed out many years ago, aristocratic groups (and Ávila's patriciate was ennobled quite early) tended to be less antagonistic to Jews than ecclesiastics, the middling sorts, and those in the lower social levels of society.<sup>51</sup>

In addition, Ávila had a limited urban space enclosed within the walls. The relatively low population (Jews thrived in small towns after 1391) allowed for a sense of familiarity and commingling that prevented, in most cases, the sharp bursts of violence present elsewhere against religious minorities or even between Jews and Muslims. A proof of that is that while Jewish communities were erased elsewhere, Ávila's religious minorities remained fairly undisturbed after 1391. As Serafín de Tapia has shown, their number multiplied in the period between 1391 and 1492.

One must also consider the cathedral chapter's important role in Ávila's urban and rural economy. The chapter's profitable ties to the Jewish and Muslim communities prevented the kind of "middling sorts" antagonisms against religious minorities that were present elsewhere throughout Castile. The overlapping of Ávila's ruling secular elite with those of the chapter (they were, after all the same people) made the religious minorities' lives far less vulnerable than elsewhere. In the fifteenth century, these

<sup>50</sup> For the economic profile of the Burgalese oligarchy see my "Burgos a principios del siglo XIV: Sociedad y economía," in *Expresiones del poder en la edad media. Homenaje a Juan Bonachía*, eds. María Isabel del Val Valdivieso, Juan Carlos Martín Cea, and David Carvajal de la Vega (Burgos: Ediciones Universidad de Valladolid, 2019), 361–71.

<sup>51</sup> José María Monsalvo Antón, *Teoría y evolución de un conflicto social. El antisemitismo en la Corona de Castilla en la Baja Edad Media* (Madrid: Siglo XXI, 1985). In 1480, as the Catholic Monarchs called the militia of Ávila to the Granada frontier, 114 knights of Ávila responded to the call. Seventy-one of them lived in the city proper and were described as *fijosdalgos*. Carmelo Luis López, ed., *Documentación del archivo municipal de Ávila (1478–1487)*, vol. 3, *Fuentes históricas abulenses* 45 (Ávila: Institución Duque de Alba, 1999), # 271 (21 March 1480), 138–39.

links were strengthened. In spite of a few isolated conflicts, the Jews and the Muslims were too important as fiscal contributors (to both the Crown and the cathedral) to risk their communities' destruction. But 1492 loomed ahead, bringing to an end more than three hundred years of Jewish and Muslim life in Ávila. The city would not be better for that.

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# Sex, Lies, and Alleged Rape: Scandal and Corruption in Fourteenth-Century *Mudéjar* Lleida

*Brian A. Catlos*

[I]n the articles...being fifty-six in number, among which, it was contained that the said Açet Avinferre, your father, while *alcaydus*, was not rendering full justice to the Muslims of Lleida, and that he sentenced Muslims, men and women, to be whipped or flogged, [and] to the detriment of royal law, was neglecting and subverting justice in exchange for money. It is also contained, among other things, in the articles set forth against you, the said Abrafin, that you had carnal relations with young Muslim women and that you deflowered, by force, Muslim girls, and that, it is contained in the said

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articles, you and your said father committed many other crimes and excesses, just as are laid out in the said articles.<sup>1</sup>

Something was rotten in Lleida. The Muslim community, substantial, but historically quiescent, was in turmoil. A petition from its members had arrived at the court of the count-king, Count Alfons III of Barcelona (Alfonso IV, king of Aragon; r. 1327–36), imploring the monarch to investigate their own *alcaydus*—the royally-appointed official who served as overseer and magistrate for the Islamic community—and his father. The charges were sensational: corruption, subversion of justice, and repeated sexual assault. Moreover, it was not merely a case of victimizing specific individuals but of undermining the fabric of the community itself.

Religious law defined community in the diverse society of the medieval Crown of Aragon, and within the beleaguered and formally subordinated Muslim community of the Crown sex crimes involving women tore at the very heart of people's confessional and family identities. It affected not only those victims who were unfortunate enough to be assaulted, but their kin group, who would endure the shame and dishonor of not having been able to safeguard their own women, and suffer the consequent loss of position within their own community together with the loss of economic potential and social status this would have entailed.

Who were the two accused, Açet and Abrafim Avinferre? And, if the charges against them were true, how was it that individuals of such reprobate character managed not only to obtain the highest offices within their community, but hold on to them through what was evidently a sustained campaign of abuse? Such questions go to the heart of the *mudéjar* situation in the Christian Spains, and the role of native colonial elites here and in general. They speak to the widely held consensus among jurists of

<sup>1</sup>ACA, C., reg. 474, fol. 194r (21 March 1328), ed. Josefina Mutgé i Vives, *L'aljama sarraïna de Lleida a l'edat mitjana* (Barcelona: Consejo Superior de Investigaciones Científicas, 1992), 265–6, doc. 90; author's translation. The extant documentation relating to the Abenferre family for this period is in the collections of the Arxiu de la Corona d'Aragó in Barcelona. My survey of the municipal and cathedral archives of Lleida yielded nothing; nor did I encounter documentation in the Archivo Histórico Nacional (Madrid). Throughout this article I have translated the Latin *sarracenus* as "Muslim." Abbreviations used in this essay include: ACA (Arxiu de la Corona d'Aragó), C. (Cancelleria), ca. (*capsa*), CR. (Cartes Reials), MR. (Mestre Racional), reg. (*registre*), RP (Reial Patrimoni). All archival documentation has been consulted in the original; documents edited by Mutgé in *L'aljama sarraïna* are designated by ASL.

the contemporary Islamic world that Muslims could not under any circumstances live licitly under the domination of Christian princes, and further undermine the heavily revised but still persistent, oversimplified paradigm of Christian oppression and Muslim marginalization in post-“Reconquest” Spain.

### THE ABENFERRES OF LLEIDA

Islamic Lārida (Ilerde, in Latin; modern Lleida, or Lérida) had been conquered by Ramon Berenguer IV, count of Barcelona and prince-consort of the Kingdom of Aragon, in 1149 and incorporated into the dynastic aggregate that would soon be known as the Crown of Aragon, and which by the fourteenth century would become alongside Castile-León the most powerful Christian principality in the Iberian Peninsula. *Mudéjares* (the Muslims who “stayed behind”) here, as elsewhere in the Iberian Peninsula and Sicily, came to conceive of themselves as *dhimmis* of their new Christian lords—subject peoples who had submitted to the authority of the conquerors on the condition that their communal autonomy, including freedom of religion, juridical independence, and security of property and persons, would be guaranteed.<sup>2</sup>

Local Islamic (and Jewish) communities were constituted as *aljamas*, and put under the charge of Muslim officials who were either “elected” by their constituents or appointed by the king or local lord (with the latter becoming progressively more common over time).<sup>3</sup> The head of the community in Lleida was known as the *alcaydus*, a conflation of the Arabic

<sup>2</sup> See Josep Maria Font i Rius, *La reconquista de Lérida y su proyección en el orden jurídico* (Lérida: Escuela Provincial, 1949), esp. 10–12; and Mutgé, *L'aljama sarraïna*, 2–3. For the twelfth-century conquests and incorporation of Islamic territory into Aragon and Catalonia, including the surrender agreements, see “Christians and Muslims: Contact and Conquest,” chapter two of Brian A. Catlos, *The Victors and the Vanquished: Christians and Muslims of Catalonia and Aragon, 1050–1300* (New York: Cambridge University Press, 2004), 71–120. *Dhimmis* were those subject to *dhimma*, “the pact of protection,” which afforded some non-Muslim minorities (notably, Christians and Jews) a legitimate but subordinate position in Islamic societies.

<sup>3</sup> *Aljama*, from the Arabic *al-jamāʿ* (“community”) refers to formally-constituted local Muslim communities usually attached to a municipality or town. See Catlos, *The Victors and the Vanquished*, 126–28; and “The Aljama and the *Morería*: Internal Organization of the Mudéjar Community,” chapter two of John Boswell, *The Royal Treasure: Muslim Communities under the Crown of Aragon in the Fourteenth Century* (New Haven: Yale University Press, 1977), 64–106.

*al-qāḍī* (religious magistrate) and *al-qā'id* (local military commander). Other posts included, typically, the *scriptor*, or official notary, the *çabaçala* (roughly, imām), and the two or more popularly-elected *adelantati*, who collected the community's annual tribute and served as ombudsmen and representatives of the plebes. With the exception of the *adelantati*, these officials paid an annual fee for holding office, benefitting directly in the form of commissions levied on judicial fines and licenses, and indirectly through the tax exemptions (*franquitas*) they enjoyed and the soft power they wielded within the community. Thanks to this they were able to better take advantage of economic opportunities, build local political alliances, and marry into other prosperous families. Not surprisingly, individuals who obtained these positions endeavored to hold on to them at all costs, and to convert them into functionally hereditary positions. If serving in office was a ladder to prosperity, it did not necessarily attract the most suitable candidates. Generally, only those with sufficient capital and connections could hope to gain office, and too often they were more interested in dominating than safeguarding their own communities. Throughout the Crown of Aragon conflicts between such officials and their families were common, and accusations of corruption frequently arrived as petitions to the royal court.<sup>4</sup>

The first definite appearance of the Abenferre family comes in the person of Açet Abenferre who, along with several other of the town's Muslims, was ordered by King Jaume II in 1296 to make good on a debt owed to a Christian that they were "maliciously" refusing to pay.<sup>5</sup> This is hardly remarkable. Like so many of his fellow Muslims, Açet was engaging in some sort of entrepreneurial venture. He is noted as a "soap maker" (*saboner*), an artisan who must have had enough property to secure a loan. Borrowing money from a non-believer was by no means exceptional—in fact it was a common occurrence in the medieval Crown of Aragon. Thus,

<sup>4</sup>For several examples, see the case studies in Catlos, *The Victors and the Vanquished*, "Part III: Individual and community in the Christian Ebro," 327–89; as well as idem, "Privilegio y poder en el Aragón mudéjar: El auge y declive del çaualaqueum Çalema," in *Biografías mudéjares, o la experiencia de ser minoría: Biografías islámicas en la España cristiana*, ed. Ana Echevarría (Madrid: CSIC, 2009), 133–82; and "The de Reys (1220–1501): The Evolution of a 'Middle-Class' Muslim Family in Christian Aragon," *Viator* 40 (2009): 197–219.

<sup>5</sup>"quos eidem maliciose solvere contradicunt." ACA, C., reg. 104, fol. 111r (24 September 1296), ed. ASL, 207, doc. 20. The family features prominently in Mutgé's *L'aljama sarraïna* and is the subject of a short summary published as "Els Bimferre," in *L'Islam i Catalunya* (Barcelona: Lunewerg, 1998), 291–95.

the controversy regarding the debt is symptomatic of the interconfessional economic integration that characterized the Crown. Among Christians, Muslims, and Jews, religious and legal injunctions against usury tended to apply only to those within the faith, and it was therefore easier to obtain credit from outsiders who were, by grace of their heterodoxy, less encumbered by moral and legal restrictions on lending at interest. Judging from the registers of the royal chancellery, and the frequency with which similar injunctions appear, it was equally unremarkable that debtors should try to bilk their creditors.

Nonetheless, this document indicates that by the late thirteenth century Açet was actively laying down the economic and political bases for his family's future prosperity and domination of the *aljama*. And in 1300 Açet's political ambitions and abilities were demonstrated when he was appointed *alcaydus* of Lleida by King Jaume, an office that he was to exercise at the monarch's pleasure.<sup>6</sup> Two years later, this was converted to a life-time tenure to be held as long as he served "well and legally," a commission which came "at the supplication and request of" a well-connected noblewoman, Beatriu, the widow of Ramon d'Angularia, to whom Açet must have been astute enough to render some service.<sup>7</sup> His license fee was a substantial three *maçmudinas* per year.<sup>8</sup> Cultivating contacts among the local nobility and developing a network that stretched into the countryside could be an effective means for up-and-coming *mudéjares* to gain influence.<sup>9</sup> In the same instance, the office of *çalmedina* was granted to him, also for life. In the following years Açet did not by any means allow his official duties to distract him from his personal business. In 1303, he secured a life-time monopoly for the manufacture of soap in the city in exchange for an annual license fee of thirty *solidi* of Jaca.<sup>10</sup> Açet remained

<sup>6</sup>ACA, C., reg. 198, fol. 219r (18 November 1300), ed. ASL, 217–18, doc. 33.

<sup>7</sup>"ad suplicationem et preces nobilis dompne Beatricis...volentes tibi facere gratiam apliorum...quamdiu vixeris et bene et legaliter habueritis." ACA, C., reg. 121, fol. 12r (18 November 1300), ed. ASL, 218, doc. 35. Beatriu was the widow of Ramon d'Angularia (d. 1292), lord of Anglesola (about forty kilometers east of Lleida). The Angularia were a venerable and well-connected Catalan noble family with strong connections to the Church in Catalonia and the royal family through the fourteenth century.

<sup>8</sup>This was a gold coin based on an Almohad model. See Felipe Mateu y Llopis, *Glosario hispánico de numismática* (Barcelona: CSIC, 1946), s.v. "Mazmudina."

<sup>9</sup>The Abenferres' contemporaries, the de Rey family of Huesca, followed a similar trajectory. See Catlos, "The de Reys."

<sup>10</sup>ACA, C., reg. 200, fol. 165v (19 January 1303), ed. ASL, 222, doc. 38. Four years later the king defended Açet's monopoly, ordering his bailiff and the other officials of the town to

in his administrative offices until his death in 1327, at which time his son Azmet succeeded him both in his official capacities and as the exclusive licensee of soap-making for the city. Tellingly, the right to succeed was secured just before Ačet's death, thus ensuring an uncontested transition.<sup>11</sup>

If that were all we knew about the Abenferre family, there would seem to be little to remark on, aside from the obvious fact that they managed for a few generations to convert public offices normally held by royal appointment into something resembling hereditary benefices. But from almost the beginning of Ačet's term as *alcaydus* in the early fourteenth century we can detect inklings of trouble and discern suggestions that he was comporting himself in a manner less than suited to an officer of the king and an arbiter of Islamic justice—comparable in Islam to what a Christian might refer to as a “man of the cloth.” Apart from this, there were other Abenferres who did not serve as magistrates, and around whom also something of a whiff of sulfur can also be detected.

### MORE THAN A HINT OF SCANDAL

Indeed, Ačet's popularity within the *aljama* seems to have suffered a decline more or less immediately after he gained the security of life-time tenure. Early in 1304 the *alcaydus* complained to the king that the *aljama* had been forcing him to contribute to the communal tax pool of the Muslim community, whereas he claimed by privilege of custom that, by grace of his office, he was “free and immune from the aforesaid contribution, like the previous *alcaidia* of the Muslims of Lleida.” The bailiff, Petrus de Cardona, was ordered to conduct a full inquest and to interrogate witnesses to determine the veracity of this assertion.<sup>12</sup> Only a few months later the people of the *aljama* replied with accusations of their own. Ačet, they complained, had committed and was continuing to commit each day grave injuries and injustices, and breaking laws, not to

prevent the import and sale of any soap but his in the city. ACA, C., reg. 139, fol. 315v (21 June 1307), ed. ASL, 229–30, doc. 46. The *solidus* (*sueldo*, or *sou*), or shilling, minted either in Jaca (*jaquense*) or Barcelona (*barcelonense*), was a common coin of account and in circulation in the Crown of Aragon.

<sup>11</sup>ACA, C., reg. 316, fol. 58r (5 June 1327), ed. ASL, 259–60, doc. 84; ACA, C., reg. 316, fol. 59v (1 July 1327), ed. ASL, 260–61, doc. 85; ACA, C., reg. 316, fols. 59v–60r (1 July 1327), ed. ASL, 261, doc. 86.

<sup>12</sup>“franchus, liber et immunis a contribucione predicta, cum omnes alcaydi sarracenorum llerde.” ACA, C., reg. 131, fol. 68r (15 February 1304), ed. ASL, 223–25, doc. 40.

mention uttering threats and stirring the local *mudéjares* up with his “injurious and contumacious” words. Whether merely for good measure or to ensure that the king would take notice of their case, it was added that Açet had been remiss in rendering the king the yearly fee for his soap-selling monopoly.<sup>13</sup>

The privilege of *franquitas*, or royal tax exemption, was a standard perk of holding royal office and one that constituted an important advantage for *mudéjar* officials, who as a matter of course endeavored to convert it into both a general immunity from all taxation and a heritable right that they could extend to family members and pass on to descendants whether or not these held office.<sup>14</sup> Because the total tax obligation of the *aljama* was not reduced, but the wealthiest members did not contribute, *franquitas* shifted a greater fiscal burden onto the rest of the community, while it cost the king nothing. As a consequence, communities sought to limit or overturn such claims to immunity as a matter of course. The result was that *aljamas* across the Crown came to be wracked by bitter and interminable legal disputes between elite families and their communities. These disputes could last generations, sometimes centuries, provoking litigation, reprisals and violence, and tearing at the fabric of these communities.<sup>15</sup>

As it was, the bailiff was called in again, and together with Omberto de Capite Pontis, a judge of the royal court, was ordered to review the sentence which the bailiff’s office had imposed in the previous suit, and which had apparently found in Abenferre’s favor.<sup>16</sup> Now, coming so close on the heels of Açet’s complaint and his apparent success, the accusations made by the *aljama* might seem to be motivated as much by sour grapes as by any just cause, were it not for the persistence with which the Muslim community would continue to pursue these allegations in the following years. These inquests were, in fact, only the opening volleys of the long battle which had begun between the Abenferres and the *aljama*.

<sup>13</sup>“dicendo verba quam plurimam iniuriosa et contumeliosa.” ACA, C., reg. 133, fol. 4v (19 June 1304), ed. ASL, 225, doc. 41.

<sup>14</sup>It should be noted that wealthy Christians, Muslims, and Jews who had *franquitas* were regularly pressured to make gifts or “loans” to the crown, often of considerable amounts of money.

<sup>15</sup>Jewish *aljamas* and Christian *universitates* (municipalities) were plagued by analogous conflicts. Similar to the strategies employed by administrative officials, Muslim tenants of Military Orders and ecclesiastical foundations also often tried to convert the specific *franquitas* they had on those properties, to general tax exemptions.

<sup>16</sup>ACA, C., reg. 133, fol. 4v (19 June 1304), ed. ASL, 225, doc. 42.

In the second suit, judgment was passed against Açet and he was sentenced to pay a one hundred *solidi* fine.<sup>17</sup> In the end, however, this castigation proved neither to the detriment of his pocket-book nor to the amelioration of his behavior. The fine was dodged by Açet on the basis of another ancient privilege, which stated that the *alcaydus* was immune from the jurisdiction of the bailiff. The sum was ordered returned. However, the bailiff and royal justice did not refund the *alcaydus* the money he had been fined as the king had decreed, and they needed to be reminded to do so by Jaume II six months later.<sup>18</sup>

As it was, a mere six years after the initial case, the *sarraceni* of Lleida were found in the king's presence once again, complaining of the "harm, injuries and violence" that they were suffering at the hands of their *alcaydus*.<sup>19</sup> The allegations were sufficiently convincing to the king that he ordered Açet suspended from office, pending the outcome of the bailiff's inquest. Nor did the *aljama* abandon its contention that Açet was liable to taxation, and in August of the following year, 1311, a second inquisition was ordered into the legitimacy of his claim of *franquitas*.<sup>20</sup> It appears that the *alcaydus* managed to win the "malpractice" suit, for in October of the same year, the *adelantati* successfully petitioned the king for an appeal to be heard regarding a sentence carried against the *aljama* by the bailiff's lieutenant, and which was certainly the same suit.<sup>21</sup> The *adelantati* must have presented compelling evidence, for within two weeks, the king had written to the bailiff not only acknowledging that an appeal was in process, but ordering that Açet, who had been restored to his position on his

<sup>17</sup>ACA, C., reg. 139, fol. 25r (5 September 1306), ed. ASL, 225–26, doc. 43. One hundred *solidi* was a considerable amount, considering the hospitality tax (*cena*) levied annually on the entire *aljama* of Lleida typically amounted to between 100 and 500 *solidi*. See ACA, C., reg. 82, fol. 109r (25 March 1290), ACA, C., reg. 324, fol. 48r (22 December 1294), and ACA, C., reg. 324, fol. 222r (15 November 1296).

<sup>18</sup>ACA, C., reg. 139, fol. 25r (7 September 1306), ed. ASL, 227–28, doc. 44; ACA, C., reg. 267, fol. 52v (13 May 1307), ed. ASL, 228–29, doc. 45.

<sup>19</sup>ACA, C., reg. 145, fol. 106r (13 August 1310), ed. ASL, 232–33, doc. 50.

<sup>20</sup>ACA, C., reg. 148, fol. 63v (7 August 1311), ed. ASL, 233, doc. 51.

<sup>21</sup>ACA, C., reg. 148, fol. 148r (13 October 1311), ed. ASL, 234, doc. 52. The document refers to the "sentencia lata contra ipsos per Raymundum de Castro Pediculo, tenente locum Francisci de Sala, baiuli llerde" which might in principle be either the complaint regarding Açet's abuses or that regarding his tax status, but given that Açet had been absolved of the former (see note 22, below), it must relate to the latter.



acquittal, should remain suspended until such time as the appeal were concluded.<sup>22</sup>

It is precisely at this moment that independent evidence begins to appear suggesting that the complaints of the *aljama* may have been more than the stuff of malicious prosecution. While it is true that earlier in his judicial career, Açet, along with the bailiff, had been reprimanded by the king for failing to enforce a verdict concerning the resolution of a debt on the part of a deceased Muslim's estate, this was a rather minor matter and not especially remarkable.<sup>23</sup> But in 1311, a certain local woman named Çoltana alleged that Açet Abenferre and his sons had caused her injury through violence, and had indeed brought about the death of her daughter.<sup>24</sup> This accusation alone does not constitute sufficient evidence to assume that such attacks actually took place, but the possibility of a motive can be discerned in a detail that the order for the inquest happens to include. Çoltana was evidently the widow of a certain Mahomet, a former *alcaydus*. But there is no record of anyone by this name serving in the post. This suggests that he may have been an interim official appointed during one of Açet's suspensions, and likely a member of a rival group within the *aljama*. If these attacks had indeed occurred, then, they may have represented an attempt to intimidate those in opposition to the Abenferres.

At any rate, as one progresses through the records, and becomes better acquainted with the careers of Azmet and Abrafim, the sons of Açet Abenferre, one is left with little doubt as to either their capacity for violence or their dedication to the pursuit of ambition. The case opened by Çoltana is not referred to in any subsequent documents and from this we

<sup>22</sup> ACA, C., reg. 148, fol. 165v (24 October 1311), ed. ASL, 235, doc. 54.

<sup>23</sup> In the case in question, Gaia, the widow of a former *alcaydus* and royally-connected architect, Çalema Atalili, was sued by one of Atalili's former colleagues, Marroquinus, "master engineer" (*magister ingeniorum*), for debts the couple allegedly owed him (ACA, C., reg. 121, fol. 12r [13 June 1301], ed. ASL, 218, doc. 34). Over a year after Marroquinus had won his case, Açet and the bailiff had yet to enforce the judgement, suggesting a partiality towards the widow of the former *alcaydus* (ACA, C., reg. 23, fol. 88v [11 April 1302]). For Atalili, see Catlos, *The Victors*, 195–97, 215, 317, and 362.

<sup>24</sup> ACA, C., reg. 148, fol. 165r (24 October 1311), ed. ASL, 234–35, doc. 53. Mutgé attributes this to a capital conviction, but the document alludes not to a judicial sentence, but to "injuries or violence" (*iniuriis seu violencia*) carried out by Açet and his sons ("Acetum Avinferre...et filios suos"), suggesting this was an extra-judicial incident (cf.: Mutgé, *L'aljama*, 29).

may conclude that the Abenferres were absolved.<sup>25</sup> Açet also must have managed to gain an acquittal in the general case of malfeasance raised against him by the *aljama*, given that in 1313 he complained to the king that he had not yet received the five hundred *solidi* that the *adelantati* of the *aljama* had been ordered to pay in restitution for his costs.<sup>26</sup>

### A CALM BEFORE THE STORM

Following this, eight years pass for which we have no records of any further complaints against Açet. Either his excesses had been tempered or he was managing to keep a lid on popular discontent. Then, once again, in August of 1321 the bailiff of Lleida, Pere Despens, was ordered to investigate the apparently recidivistic *alcaydus*. The wording of the order itself is quite strong and its tenor carries more than a bit of an air of presumption of guilt:

Since We understand that Açet Abenferre, *alcaydus* of the *aljama* of the Muslims of Lleida, has been delinquent both in the duties of his office and otherwise, on account of which he deserves to be punished, We hereby order and command you to diligently inquire into the aforesaid and, meanwhile, the inquisition pending, hold him captive and impound his goods and whatever else, just as you see fit to do and, once the inquisition is complete, send it to us under your seal without any delay.<sup>27</sup>

This order did not come from Jaume II, but from his son and heir, the *infant* (“prince”) Alfons, who was serving as royal lieutenant, and had evidently taken an active interest in the affairs of the city. Complaints quickly reached royal ears that the inquiry was not proceeding apace and in November of the same year Guillelm de Na Montaguda, Despens’ successor as bailiff, was ordered to undertake the investigation afresh, this

<sup>25</sup> A conviction would have generated considerable royal correspondence, relating to both the sentence and Açet’s removal as *alcaydus*. When *mudéjares* were convicted of murder, a capital crime, this became a royal affair because of Muslims’ status as a protected class and direct subjects of the king. See, for example, the documentation relating to the sentence of death ordered by the bailiff of Lleida, and the subsequent appeal of Abrafim Daldager (aka Moçolo), for the murder of a fellow Muslim, Mahomet (ACA, C., reg. 249, fol. 114r [22 February 1326], ed. ASL, 255, doc. 78; ACA, C., CR, Jaume II, ca. 134, no. 158 [7 May 1326], ed. ASL, 237–38, doc. 79).

<sup>26</sup> ACA, C., reg. 151, fol. 128v (2 March 1312), ed. ASL, 237–38, doc. 57.

<sup>27</sup> ACA, C., reg. 384, fol. 200v (8 August 1321), ed. ASL, 245, doc. 65.

time by King Jaume.<sup>28</sup> Here, for the first time, we learn that Açet's son Abrafim was being accused by the *aljama*, alongside his father, of the manifold crimes and abuses which as of yet remained unnamed.<sup>29</sup> Nor had the last word yet been heard on the matter of Açet's status vis-à-vis taxation, as in 1327 the *aljama* complained to the king that the great poverty by which its members found themselves "hurt or oppressed" (*damnificetur seu opprimatur*) was in part the result of the immunity from taxation that their *alcaydi* had been claiming up to that time.<sup>30</sup> At issue was not only these officials' right to this privilege, but whether it was, in fact, harming the community. The 1320s was an era of mounting crisis, not only in the Crown of Aragon, but across much of Latin Christendom and the Mediterranean, characterized by crop failures and famine, which in turn led to social tensions, unrest, and violence, together with a general economic decline. Whereas there is no evidence of intercommunal violence in Lleida at this time, the increasing demands of the royal fisc in the form of extraordinary subsidies, together with declining prosperity, was undoubtedly putting severe pressure on the Muslim community, which ultimately led to violence within the community.<sup>31</sup>

By the time that this last desperate plea reached the ears of the king, Açet was more than likely in the grave; for less than two weeks after the bailiff had been ordered to look into the *aljama*'s financial state, Azmet Abenferre, the son of Açet, was confirmed by royal decree as *alcaydu* and *çalmedina* of Lleida and was also granted the soap monopoly which his father had enjoyed—all with a life-time tenure.<sup>32</sup> In the twenty-seven years for which he had been head of the Muslim community of Lleida, it was only for the first four that Açet Abenferre had not been in open legal conflict with his constituents, and such was the gravity of the charges and the

<sup>28</sup> ACA, C., reg. 384, fols. 264v–265r (8 August 1321), ed. ASL, 246–47, doc. 67.

<sup>29</sup> Yet, by June 1322 the investigation had evidently still not been concluded, given that the *infant* Alfons again wrote to Despens (evidently unaware that Despens was no longer bailiff), demanding that a date for a hearing be set, and that Abenferre be compelled to appear in person before the prince so the investigation could be concluded. ACA, C., reg. 386, fol. 21r (18 June 1322), ed. ASL, 248–49, doc. 70.

<sup>30</sup> ACA, C., reg. 190, fol. 151r (8 August 1321), ed. ASL, 259, doc. 83.

<sup>31</sup> There was some spill-over into the Crown of Aragon of the "leper scare" and the anti-Jewish Shepherds' Crusade (the *Pastoureux*) from southern France, but reports that violence took place in Lleida seem to be unfounded. See David Nirenberg, *Communities of Violence: Persecution of Minorities in the Middle Ages* (Princeton, NJ: Princeton University Press, 1996), 71, and, generally, 93–118, and Jaume Riera i Sans, *Fam i fe* (Barcelona: Pagès, 2004).

<sup>32</sup> See above, note 11.

determination of the plaintiffs that even death did not bring him acquittal. Nevertheless, his son, who was not himself untainted by implications of unlawful and violent behavior, was installed without consideration or delay in the same posts so recently vacated by his departed father.<sup>33</sup>

As it happened, Azmet was more subtle than his father, and managed for the most part to avoid open conflict with the *aljama*—or at any rate, to prevent such conflict from becoming a royal concern. All of this is not to say that he did *not* use his office to further his personal and familial aims, or to the detriment of his co-religionists. In 1330 the Abenferres' influence within their community was extended further as they came to exercise, by the authority of the king, a power of a more directly religious nature. In that year, it seems, Azmet was appointed *çabaçala* of the *aljama*.<sup>34</sup>

The events of the three years preceding this lend a certain irony to this appointment, as they demonstrate the cynicism with which Islamic and royal justice was viewed by members of this clan. In 1327, the same year as Azmet's promotion, the inquest into Açet and Abrafim, which had evidently stalled once again, was handed over to an outsider, Guillelmus de Miralliis, a legal expert (*iurisperitus*) from Montalbán (in Aragon), to be reconvened.<sup>35</sup> Thirteen months later the affair was brought to an apparent conclusion with the acquittal of the two accused. The settlement that was arrived at and the manner in which it was executed, however, would raise a blush from all but the most jaded of plea-bargainers and ambulance-chasers of today. In March of 1328, only four months after Guillelmus received his commission, a report had been sent to King Alfons (who had succeeded his father, Jaume II, the previous year), concerning the guilt of the accused, and Abrafim had managed to negotiate his pardon. The text of this document reveals the extent of the abuses committed by father and son and speaks volumes of the low esteem in which the judicial integrity of the *aljama* was held by the king and his officials. It reads as follows:

We, Alfonsus, etc. with our present letter, absolve, discharge, remit and release you Abrafim Avinferre, son of Açet Avinferre *alcaydus* of the Muslims

<sup>33</sup> See above, note 24.

<sup>34</sup> ACA, C., reg. 505, fol. 263r (22 June 1330), ed. ASL, 272, doc. 97. The appointee is named as "Azmet Abinferre, sarracenus llerde" without further qualification. It is likely the same Azmet Abenferre who served as *alcaydus*, or perhaps another member of the family with the same first name.

<sup>35</sup> ACA, C., CR, Alfons II, ca. 2, no. 157 (3 December 1327), ed. ASL, 262, doc. 87.

of Lleida, namely, of every petition, accusation and obligation and every civil or criminal penalty and whatever else which We have made, brought or moved against you or your goods, for the reasons or causes contained in whatever clauses which have been brought before Us against your father and yourself, concerning which Guillermus de Na Muntaguda, bailiff of Lleida and Guillermus de Miralliis, jurist of Montalbán, whose commissions we made with our letters...[see the epigraph, above]...Accordingly, from all of the aforesaid as is contained or, indeed, expressed in those clauses, or any others, you or the said Açet, your father, *whether you are guilty or not*, it will not be possible [to proceed] against you or your goods or, indeed, those goods which were of your aforesaid father, by Us, or any of Our officials, or otherwise in Our place may any other petition or demand [be made], nor henceforth are you or the goods which were of your father to be held or, indeed, moved against. That said, it is not Our intention, nor do We want understood [to be contained] in the present absolution the contents of some of those clauses, namely, that you, the said Abrafim, have known Christian women carnally. Rather, if perchance it may be proven in the future that you, Abrafim, have committed the aforesaid excesses, you will not be able to be excused in this manner from prosecution for this crime by the pretext of [this] pardon...For this absolution, truly, in this manner, you rendered and released to Our court one thousand *solidi* of Jaca, which you handed over to Our dear counsellor and treasurer, Garsie de Loris, in the name of Our court, [with Us] ordering the bailiff of Lleida and the rest of Our officials by medium of the present [charter] that they hold firm, observe and make to be inviolably observed Our aforesaid absolution, discharge, remission and release, as is contained above, and that they will not contravene it, nor suffer any other to contravene [it] for any reason.<sup>36</sup>

The late 1320s were indeed a time for celebration within the Abenferre household, if not in the rest of the *aljama*. Adding insult (and, indeed, injury) to injury, Abrafim immediately brought an action against the *aljama* to recover the costs of his defense in this case. Sure enough, three months later a royal order was given for the bailiff to make, with all haste, those Muslims of the *aljama* who had “evilly and falsely accused the said Abrafim of certain crimes and excesses” pay for the losses which the beleaguered *alcaydus* had suffered as a result of the prosecution.<sup>37</sup>

The sum that Abrafim had paid to the crown was no small matter, equal to approximately ten times the amount which the entire *aljama* paid the

<sup>36</sup> See note 1, above.

<sup>37</sup> ACA, C., reg. 438, fols. 98v–99r (17 June 1328), ed. ASL, 272, doc. 91.

king for *cena* in a given year.<sup>38</sup> Obviously, he was feeling the pinch after handing over this hefty ransom, for in the following year, and again in 1330, Abrafim successfully sought a moratorium on all debts that he owed to both Christians and Muslims.<sup>39</sup> The granting of such moratoria was not at all unusual, but one can well imagine that having relatives in high places gave his petitions a better chance than normal of a favorable outcome.<sup>40</sup> Indeed, in the following years Abrafim's financial fortunes seem to have taken a turn for the worse, and his value—on paper at any rate—seems to have gone towards the red. In 1331 at his behest and that of three members of the Mosahit family, the king ordered that each individual's contribution to the communal tax pool of the *aljama* be calculated not according to their gross assets, but rather by their net worth—that is, with all outstanding debts deducted before the calculation of the amount due.<sup>41</sup> This was a calculation that would favor wealthier *aljama* members, who normally carried debt as a consequence of doing business. Further, in 1332, despite the granting of a blanket moratorium on debts owed by any of the Muslims of the *aljama* of Lleida to Christians up to the value of one hundred fifty *kafizes* of wheat, Abrafim's debts alone were significant enough to merit a separate moratorium issued a month later, for amounts of up to two hundred *solidi*.<sup>42</sup>

### THE *ALJAMA* IN REVOLT

Meanwhile, pressure seems to have been mounting within the *aljama* as a result of the affair of the Abenferres. Were the allegations against Açet and Abrafim true, the tension must have been palpable, given the fear of violence, distrust of the royal and *aljama* judicial and police institutions, and general desperation of the populace. This would have been aggravated by

<sup>38</sup> See above, note 17.

<sup>39</sup> ACA, C., reg. 434, fol. 256r-v (22 June 1329), ed. ASL, 269–70, doc. 95. Further relief was granted the following year. See ACA, C., reg. 437, fol. 29v (15 June 1330).

<sup>40</sup> Such grants were not uncommon. See the moratorium granted to Ayça Amalçaeç and his wife, Fatima, on debts to a fellow Muslims, or that granted to Abdella Marich, for debts owed to unnamed Christians (ACA, C., reg. 117, fol. 279r [6 July 1300], ed. ASL, 215–16, doc. 31; ACA, C., reg. 430, fol. 138v [3 December 1328], ed. ASL, 269, doc. 94).

<sup>41</sup> ACA, C., reg. 442, fol. 212v (25 February 1331), ed. ASL, 274–75, doc. 100.

<sup>42</sup> ACA, C., reg. 452, fol. 98r (18 September 1332), ed. ASL, pp. 276–77, doc. 102; ACA, C., reg. 452, fol. 98v (19 September 1332). The *kafiz* was a dry measurement derived from the Arabic *qafiz*, and was equal to somewhat less than 700 litres. See Aurora Martínez Ezquerro, “Notas de metrología calagurritana del siglo XIII,” *Kalakorikos* 2 (1997): 77–78.

the narrowing financial straits of the community, which like the rest of the Crown and much of Europe had seen several years of poor harvests. Things evidently came to a head in 1321, when Abrafim complained of an assault he had suffered at the hands of a certain Azmet Abinxua. As a consequence, the bailiff was ordered by the *infant* Alfons to proceed against the latter and ensure that he made restitution for his attacks. This was an extraordinary event that presaged changes that would come to the *aljama*, and indeed to the Muslim communities across the Crown of Aragon in the second half of the fourteenth century. The motive for this violence is not noted, and it is not clear whether it was tied to the larger struggle between the Abenferres and the *aljama*, or was the result of some personal conflict between the two. But, the manner in which the assault was carried out suggests that there was a public aspect to the confrontation. Azmet, it is said, “armed and with aforethought attacked the lodging of the said Abrafim with stones...and struck or caused the said Abraham to be struck, on account of which the said Abrafim suffered injury and expense.”<sup>43</sup>

The stoning of a house was a heavily symbolic act—a challenge that was intended to humiliate the victim by showing to all that he was incapable of defending that which was most intimate to him. The quiescent Aragonese *mudéjares* did not, it seems, stone houses; but their perennially rebellious and highly factionalized Valencian co-religionists had a tradition of doing so.<sup>44</sup> Christians and Jews in the Kingdom of Valencia also attacked co-religionists in this manner. It was a very public gesture, designed to humiliate the victims and impugn the reputation and masculinity of the menfolk. It was often followed by a home invasion, in which the women of the household were roughed up, or even cut and scarred. Azmet Abenxua was from Valencia, where he would have doubtless been exposed to the violent blood feuds that characterized *mudéjar* society there; and where he would

<sup>43</sup> “manu armata et mente considerata, expugnavit hospicium dicti Abraffim, cum lapidis, et nicholominus, acuyndavit seu acuyndari fecit dictum Abraffim, propter quod dictus Abraffim dampna sustinuit et expensas.” ACA, C., reg. 369, fol. 226r (2 November 1321), ed. ASL, 245–46, doc. 66.

<sup>44</sup> Meyerson has studied house-stoning and feuding amongst Christians, Muslims, and Jews in Valencia, work that will be featured in his forthcoming comparative study of violence in medieval Spain. See also Mark D. Meyerson, “Bloodshed and Borders: Violence and Acculturation in Late Medieval Jewish Society,” in *Late Medieval Jewish Identities: Iberia and Beyond*, ed. Carmen Caballero-Navas and Esperanza Alfonso (New York: Palgrave Macmillan, 2010), 13–26; and idem, “Conflict and Solidarity in Mudejar Society,” in idem, *The Muslims of Valencia in the Age of Fernando and Isabel: Between Coexistence and Crusade* (Berkeley: University of California Press, 1991), 225–69. Thanks to Mark for providing this information.



have been familiarized with house-stoning as a strategy of competition. Moreover, he was no ordinary *mudéjar*. Azmet Abenxua was the first in a family line of the new *mudéjar* elite of the Kingdom of Valencia: families whose fortunes and powerbases were not rooted in a single municipality and who rose to the highest echelons of influence by attaching themselves to the royal family.<sup>45</sup>

Azmet's path to success was to secure an appointment as the groom (*menescallus*) of the *infant* Alfons. *Mudéjares* were renowned as medical practitioners, but had been increasingly legislated out of the profession beginning in the late thirteenth century.<sup>46</sup> Hence, the move to veterinary practice was a natural one, and they gained fame for their care of horses. In the course of his duties, Azmet had accompanied the *infant* on a visit to Lleida. Perhaps he had been petitioned by local Muslims to intervene, had become outraged at what he saw and heard of the Abenferres, or simply saw an opportunity to extend his own power.<sup>47</sup> These attacks themselves coincided with the beginning of Alfons' lieutenantancy; and with the star of his patron ascendant, Azmet might have at this time felt confident and secure enough of his own position to strike openly at such a dangerous target. It was a calculated risk. Although Alfons—who undoubtedly was more concerned with the stability of the *aljama* than the good character of its officials—reprimanded Azmet Abenxua and ordered him to make restitution, nevertheless, the confidence of the Abenferres must have been shaken.

Meanwhile, as *alcaydus*, Azmet Abenferre was enjoying a term of office of a less controversial character than those of his father and grandfather. The absence of allegations of misconduct during his tenure may reflect a degree of integrity which was uncharacteristic of his family, or it may simply indicate that the *aljama* had been finally subdued. After all, the prosecution of Açet and Abrafim had dragged out for twenty-four years and to no great result. Nor had Azmet Abenxua's intervention had any substantial effect. Açet died unpunished and still in the robes of his office, while Abrafim secured his own acquittal and that of his dead father for a hefty sum, some portion of which would have come from the bribes allegedly

<sup>45</sup> Thanks to their connections with Alfons, the Abenxua family thrived in the decades that followed. For the Abenxuas, see below, note 52.

<sup>46</sup> For *mudéjares'* role as horse-grooms, see, generally, Carmel Ferragud Domingo, *La cura dels animals: menescals i menescalia a la València medieval* (Catarroja: Afers, 2009).

<sup>47</sup> The charter calling for the inquest (note 43, above) was dictated by the *infant* in Lleida, meaning that Alfons would have been in the city in person at the time of the assault.

extorted from members of the same *aljama* or fines collected for crimes they had been prosecuted for by Azmet.<sup>48</sup> In the end, the common Muslims of Lleida were stuck with not only their own legal bills, but also those of their oppressors.

It may have been frustration with the judicial system that led the *aljama*, as early as 1312, to refuse to pay the *adelantati*, Asmet de Trimissen and Ali del Picaro, the costs arising from their attempted prosecution of the Abenferres, and for which these officials, it seems, were now personally liable.<sup>49</sup> As the elected officials of the *aljama*, they, or their predecessors, had initiated the case against Açet at the behest of that same community and, despite their dogged efforts to hold these officials to justice, had been left holding the bag. Fortunately for Asmet and Ali, the debt seems to have adhered to offices of the *adelantati*, rather than their persons, as in the following year, it was the *aljama*'s new elected representatives, Abdellam Abdalfach and Mofferig Alcael, from whom payment in the same matter was being demanded.<sup>50</sup> Later *adelantati* would have taken note of the difficulty of securing a conviction against the Abenferres and of the personal risks which such a venture entailed in terms either of their financial liability if they should fail, or the wrath of that powerful family should they bring their case to a successful conclusion.

While the *alcaydus* Azmet may not have been the abusive despot that his father was alleged to have been, he most certainly maintained his family's interests as much in his mind as those of his community. Nor had Azmet Abenxua disappeared. In what was almost certainly a hint of a larger factional struggle, a contest of authority appears to have taken place between the royal groom and the *alcaydus*. In the final document in what must have been a series of letters back and forth, to and from the royal chancery, the *alcaydus* is ordered to enforce and execute a judgment which

<sup>48</sup> Part of the Abenferres' fortune was derived from the one-third commission they were entitled to take on judicial fines they levied on their community, a mechanism that encouraged corruption, and became a problem with *mudéjar* magistrates across the Crown. Originally in Lleida it had been the *adelantati* who had been entitled to this income, but sometime during his tenure Açet Abenferre managed to take control of this privilege as *alcaydus* (which the town's bailiffs then repeatedly tried to take for themselves). See ACA, C., reg. 195, fols. 57v–58r (8 August 1297), ed. ASL, 210–11, doc. 25; ACA, C., reg. 172, fol. 159r (5 December 1321), ed. ASL, 247, doc. 68.

<sup>49</sup> ACA, C., reg. 149, fols. 45v–46r (17 January 1321), ed. ASL, 237, doc. 56.

<sup>50</sup> ACA, C., reg. 151, fol. 128v (2 March 1313), ed. ASL, 237–38, doc. 57; ACA, C., reg. 153, fols. 194v–195r (20 August 1313), ed. ASL, 238–39, doc. 58.

Azmet Abenxua had made as an acting magistrate. Apparently, Mahumetus Abenxuyb and Asmetus Mobarich, both of Lleida, had brought a civil suit against each other before the *alcaydus*. After Azmet Abenferre ruled in favor of Asmetus, Mahumetus petitioned the king for an appeal. The king, Alfons the Benign, consented, and assigned as judge none other than his trusted groom, Azmet Abenxua. In the appeal, Abenxua found in favor of Mahumetus, thus overturning Azmet Abenferre's judgment—and thereby challenging his authority. Not to be usurped by this upstart, the *alcaydus* simply refused to enforce the judgment; and so, in 1328, after Mahumetus had complained to the king, a royal order was dispatched to Azmet the *alcaydus* to carry out the sentence of Azmet the *menescallus* “according to the content and tenor of the sentence.”<sup>51</sup> As only one document regarding this episode survives, we cannot be certain as to whether Azmet Abenferre acted out of conviction that his original judgment was correct, or out of mere spite. Nor can we be sure that the groom had acted with any more or less integrity than the *alcaydus*.<sup>52</sup> Mahumetus and Asmetus, the two parties of the suit, may have been nothing more than innocent victims of this rivalry, or they may have been partisans, clients, or relations of Abenxua and Abenferre, respectively.

<sup>51</sup> “iuxta ipsius sentencie seriem et tenorem.” ACA, C., reg. 430, fol. 68r (3 November 1328), ed. ASL, 368–69, doc. 93.

<sup>52</sup> There are indications that Azmet Abenxua (“formerly the groom of the lord-king Alfons, Our father, of good memory”; “olim menescallum domini regis Alfonsi bene memorie genitoris nostri”) was no better than Abenferre. By 1339 he was in disgrace, under arrest as a consequence of an investigation closely watched by Peter III into “the many crimes committed against the divine majesty and the Christian faith committed by him...and of other crimes committed by him in the offices he exercised...” (“...de pluribus criminibus in diuine maiestatis offensa et fidei Christiane per eum commissis...ac de aliis excessibus per eum commissis in officiis que exercet”; ACA, C., CR, Pere III, ca. 136, no. 538 [10 August 1339]). It is possible that Abenxua's fall from favor was contributed to by the Bellvis clan. This family served as grooms to Peter III and became the king's favorite *mudéjares*, enabling them to build a network of power that spanned the Crown and even made inroads in Castile. The Bellvis would have seen the Abenxuas as competitors who needed to be eliminated, as their later legal struggles bear out. See Boswell, *The Royal Treasure*, 44, note 43 and ACA, C., reg. 1208, fols. 85v–86r (12 September 1365), cited here, as well as Boswell, *The Royal Treasure*, 43; 81; 233, note 135; 284; and 397, note 33. Boswell has them as the “Abenxoas.” For the Bellvis family, see Manuel Vicente Febrer Romaguera, “Los Bellvis: una dinastía mudéjar de Alcaldías Generales de Valencia, Aragón y Principado de Cataluña,” in *Símpoio internacional de mudejarismo. Actas del III Símpoio Internacional de Mudejarismo, Teruel, 20–22 de septiembre de 1984* (Teruel: Instituto de Estudios Turolenses, 1986), 277–90.

In any event, the Abenferre “brand” seems to have suffered as a result, and when Azmet retired, the post of magistrate was not passed on by the king (now Alfons’s son, Peter [Pere] III the Ceremonious [Pedro IV of Aragon; 1336–87]) to another member of the family. A few days after Azmet gave up his duties, Juçef Alazrach became the *alcaydus* at the king’s pleasure and four months later, he was also appointed *çalmedina*.<sup>53</sup> However, either the king’s pleasure or Juçef himself was not long-lived, given that in December 1357, a little over a year after he had been appointed, a royal order to the *alcaydus* was addressed not to Juçef Alazrach, but to “Ali,” the soap-maker. The date and circumstances of Ali’s appointment or his predecessor’s removal are not stated, but Juçef’s tenure was unusually short. The content of the document itself hardly comes as a surprise given the identity of the official to whom it refers: a complaint against Ali had been lodged regarding a judicial decision.<sup>54</sup>

The document, however, does not state that this Ali is surnamed Abenferre or related in any way to the family of Azmet. Of this fact however, we can be sure. If it were not enough to deduce this connection immediately from the fact that he, like Açet, Abrafim, and Azmet, is referred to as a *saboner* (soap-maker), suspicions are confirmed in two later documents.<sup>55</sup> In the first, dated May 1358, Peter ordered that the soap monopoly of Ali Abenferre, “the privilege of which” was granted by our predecessors to this Ali and his [predecessors] and not to anyone else” be respected.<sup>56</sup> Therefore, Ali the soap-maker must have been an Abenferre (“and not...anyone else”) and, moreover, must have been one of *the* Abenferres (“his predecessors”). Further, in a later document of 1380, the “soap-maker” Ali Abenferre is referred to specifically as a grandson of Açet Abenferre.<sup>57</sup>

<sup>53</sup> ACA, C., reg. 967, fol. 166v (12 September 1356), ed. ASL, 317–18, doc. 141; ACA, C., reg. 967, fol. 220v (18 January 1357), ed. ASL, 318–19, doc. 142.

<sup>54</sup> ACA, C., reg. 737, fol. 152r (5 December 1357).

<sup>55</sup> Although he never seems to have held the monopoly himself, Abrafim, too, was a soap-maker according to a document of 1329. ACA, C., reg. 434, fol. 256r–v (22 June 1329), ed. ASL, 269–70, doc. 95.

<sup>56</sup> ACA, C., reg. 694, fol. 141v (15 May 1358), ed. ASL, 323–24, doc. 147.

<sup>57</sup> ACA, C., reg. 810, fol. 55r–v (24 February 1380), ed. ASL, 356–57, doc. 176. Boswell is mistaken when he states that “Ali Minferre” was appointed *alcaydus* of Lleida in 1363. Boswell, *The Royal Treasure*, 84. “Ali Minferre” is, of course, Ali Abenferre, and the document refers not to his appointment, but merely records his yearly payment of the fee owed to the king for holding the office. ACA, RP, MR, reg. 994, fol. 40r (6 December 1363). Boswell also notes that in 1359 “Sulleyma Abenjumen” (Çulema Abeniumem) was appointed

Presumably, it was normal for Abenferre men to follow this profession as long as the monopoly was held by a member of the family. As soap was a quantity which the *aljama* could not (or would not want to) do long without, the exclusive right to the manufacture and sale of this commodity provided the Abenferres, as a family, with a solid economic base. This, in turn, ensured a level of prosperity which would enable them to buy whatever influence was necessary to obtain public office and, further, to weather the vicissitudes of those offices once obtained. The brief intrusion of the “outsider,” Juçef Alazrach, in the office of *alcaydus* and *çalmedina* does not reflect a decline, at this moment, of the family’s fortunes. If anything, the Abenferres seem to have been entrenching themselves deeper into the *aljama*’s power structure, making them effectively indispensable to the kings and extremely difficult to dislodge. Moreover, it is at this time that we begin to get a glimpse of other inhabitants of the *aljama* who may have been quite content with the position of influence enjoyed by this family.

#### THE ABENFERRES AND THEIR ALLIES

In April of 1343 an inquest was ordered into the conduct of a certain Muslim of Lleida, Çulema Abuniumen, who had been said to have “perpetrated various crimes and excesses against Christian men and women.” Because the defendant was maintaining his innocence, an inquest was called in which the bailiff was ordered to hear testimony from officials and witnesses to determine the truth of the charges.<sup>58</sup> On 2 April 1343 it was heard that “Çulema Abenhumem, craftsman, Muslim of Lleida, to the greatest prejudice and insult to everyone of the faith of the orthodox, had comingled with and known carnally, Arnoldona, wife of Raymundus de Aquilario, market-gardener of Lleida, Christian,” such crimes “being so horrible and vituperous against the Catholic faith to remain unpunished and hidden from sight.” The case seems to have been concluded quickly. Raymundus, the aggrieved husband, could not testify that he had any knowledge that Çulema had enjoyed any illicit relations with his wife;

*alcaydus*, but this represented either an interim appointment, or another temporary suspension of Ali from office. Boswell, *The Royal Treasure*, 84.

<sup>58</sup> “diversis excessibus et criminibus perpetratis in personis quorundam christianorum et christianarum.” ACA, C., reg. 622, fol. 66v (8 April 1343).

while for his part, the defendant testified that the charges were untrue. Çulema was duly absolved and his charter of innocence was signed by various Christian officials and two Muslims of the *aljama*: Maomet de Martos and Abrafim Abenferre.<sup>59</sup>

Whether Abrafim was acting here merely as the scribe of his brother, the *alcaydus*, or as a friend and witness of the accused is not clear.<sup>60</sup> Later documents, however, suggest that there was a bond of interest and friendship between the Abenferres and the Abeniumem family. Indeed, the Abeniumems became, in a manner, the Abenferres' junior partners in the administration of the *aljama*, and certain of them came too, it seems, to share in a predilection for violence and forbidden sex. It is possible that Çulema and his brothers, Ali and Mahoma, had already demonstrated their lack of integrity and the boundlessness of their ambition when Aziza, the wife of Ali Abeniumem the basket-weaver (*cisteller*), lodged a complaint against her own sons (here unnamed, but clearly Çulema and his brothers) in May 1333. She had apparently given over all of her property to her children in an *inter vivos* arrangement under which they agreed to continue to support her while she was alive, but she would be freed from the burdens of managing her affairs. As it happened, the boys felt more disposed to sell her goods and spend the money, leaving their mother "oppressed by poverty" and forced to appeal to the king.<sup>61</sup>

<sup>59</sup> "Culema Abinhumem, faber, sarracenus Ilerde, in maximum dedecus et vilipendium totius fidei orthodoxorum, comiscuit se et carnaliter cognovit Arnaldonam, uxorem Raymundi de Aquilario, ortolani Ilerde, christianam... talia sit orribiltier et in vituperium fidei Catholice comissa, non debeant oculis coniunctibus impunita relinqui." ACA, C., reg. 876, fol. 62v-r (2 April 1344), ed. ASL, 298-302, doc. 126. This was a fortunate result for the defense, as a few years later (1366) a Muslim who was not as innocent or as lucky as Çulema paid with his life for just such a *liaison dangereuse*. ACA, C., reg. 1707, fol. 134r (17 April 1366), ed. ASL, 340-41, doc. 162. It was not unusual for high-status Muslims to escape punishment for the crime of inter-faith adultery; normally on payment of hefty fine. For Lleida, see, Mutgé, *L'aljama*, 71-75; generally, Catlos, *The Victors*, 305-12, and Maria Teresa Ferrer i Mallol, *Els sarraïns de la Corona catalanoaragonesa en el segle XIV. Segregació i discriminació* (Barcelona: Consell Superior d'Investigacions Científiques, 1987), 17-39.

<sup>60</sup> Since at least 1321 Abrafim had been the notary (*scriptor*) of the *alcaydus* (then his father, Açet). ACA, C., reg. 384, fols. 264v-265r (3 November 1321), ed. ASL, 246-47, doc. 67. It is probable that he continued to exercise this office also during the tenure of his brother, Azmet.

<sup>61</sup> ACA, C., reg. 462, fol. 89r-v (13 May 1313), ed. ASL, 283-84, doc. 110.

## STRUCTURAL CORRUPTION AND THE COLONIAL ELITE

The fact that kings and lords would entrust judicial positions in these Islamic communities to individuals based on the fact that they knew and trusted them (or at least had personal control over them) reflects the lack of interest these sovereigns had in maintaining an Islamic judiciary that had integrity and functioned well from the point of view of their Muslim subjects. How religious were the Bellvis and Abenxua men who served as magistrates? Perhaps not at all. Were they well-versed in Islamic law? This also is impossible to know. Certainly, they must have been literate, given their veterinary profession and the broader roles they played at court, but their understanding of Islamic law may have been cursory. It is not at all clear that they were guardians of the faith, and not merely of their own interests—and it would be a naïve presumption for us as historians to assume that they were.<sup>62</sup>

Of course, all of this is not to say that in *dār al-Islām* Islamic law as practiced was perfect, that all judges there were honest, that individuals did not twist the law for their own purposes, and that communities were not torn by factionalism. However, the fact that in the Islamic world, rulers did not *make* the laws, but were restrained by the dicta of scripture as interpreted by an independent judiciary upon which they depended on for their legitimacy as rulers, placed some checks on the capacity of a sovereign to manipulate and abuse the law. Moreover, Muslim officials were also Muslims, and saw themselves as members of the same community as their constituents, and subject to that same law.

A corollary of this is that the *alcaydus* of a *mudéjar* community, no matter how honest and knowledgeable, cannot be understood simply as a *qāḍī* functioning in a Christian-ruled society.<sup>63</sup> The relationships of power and community that underpinned them were so different, as to render these offices distinct. Contemporary jurists in the Islamic world

<sup>62</sup>Kathryn A. Miller explores these issues in *Guardians of Islam: Religious Authority and Muslim Communities of Late Medieval Spain* (New York: Columbia University Press, 2008), esp. chapter 5, “Pretending to be Jurists,” 106–26.

<sup>63</sup>The position taken by Echevarría—that the *alcaydus* was effectively a Christianized *qāḍī*—should be nuanced; see Ana Echevarría Arsuaga, “De cadí a alcalde mayor. La élite judicial mudéjar en el siglo XV (I),” *Al-Qantara. Revista de Estudios árabes* 24 (2003): 139–68.



understood this, and for this reason—with few exceptions—they rejected or were very suspicious of the notion that Islamic law could be practiced under Christian rule or that there could be a legitimate magistrate in any principality not under the rule of Muslim prince. The fourteenth-century Tunisian *mufti* Ibn ‘Arafa declared:

The acceptance of a declaration made by an Islamic magistrate depends on the legality of his appointment by a valid authority, which is not the case, I must conclude, with the magistrates of the *mudéjares*, like the Muslim magistrates of Valencia and Tortosa and Pantelleria.<sup>64</sup>

That said, in other *responsa*, he indicated he was prepared to recognize such magistrates, as long as their good character had been proven.<sup>65</sup> The experience of the *aljama* of Lleida under six decades of Abenferre rule seems to bear out such caution.

But while foreign jurists might squirm at the impropriety of Muslims living under Christian rule, the *mudéjares* of the Crown of Aragon and elsewhere were too busy getting on with their lives and pursuing the opportunities that came their way to pay much mind to the supposed legality of their situation. Indeed, impressions on the ground could be quite a bit more conciliatory than the oft-stern moralizations of distant *muftūn*. In 1407 a jurist from Fez who had been captured at sea and enslaved, only to be redeemed by a *faqīh* of Lleida after two and half years of captivity in the Crown of Aragon, extolled the pious virtues of the *mudéjares* there in the course of versified account of his travails:

<sup>64</sup> al-Wansharīsi, *al-Miṣṣār* 2:133. See, generally, Catlos, “Islam and Muslim minorities,” in *Muslims of Medieval Latin Christendom*, 313–26; also Jocelyn Hendrickson, “The Islamic Obligation to Emigrate: Al-Wansharīsi’s *Asnā al-matājir* Reconsidered,” (PhD diss., Emory University, 2009); Kathryn A. Miller, “Muslim Minorities and the Obligation to Emigrate to Muslim Territory: Two Fatwas from Fifteenth-Century Granada,” *Islamic Law and Society* 7 (2000): 256–77; Alan Verskin, “The Evolution of the Mālikī Jurists’ Attitudes to the Mudéjar Leadership,” *Der Islam* 90 (2013): 44–64; and, generally, idem, *Islamic Law and the Crisis of the Reconquista: The Debate on the Status of Muslim Communities in Christendom* (Leiden: Brill, 2015). For uncertainties regarding the interpretation of Ibn ‘Arafa’s *fatwā*, see Verskin, “The Evolution,” 52, note 24.

<sup>65</sup> Verskin, 58.

And in that the land of the Infidel, are found very many good Monotheists, numerous and knowledgeable, among them, and all of them live under the school of Mālik.<sup>66</sup>

The Abenferres were quite adept at the delicate game of survival and ambition—thriving through most of the fourteenth century, skillfully manipulating the weaknesses and divisions within their own community and the limitations of royal power in order to enrich themselves and consolidate their position as local rulers. Evidently, they would do so at whatever price, notwithstanding the constant and concerted opposition of their constituents.<sup>67</sup> By dominating their communities, these families may have endowed these *aljamas* with a certain stability, but the price for ordinary Muslims—in the form of the corruption they were forced to endure—was high.

That said, we must remember that historical personalities cannot be reduced to two-dimensional caricatures, in this case the corrupt opportunist or the idealistic altruist. The human mind has a near limitless capacity for rationalizing what is in one's own interest as being in the service of the greater good, while turning a blind eye to one's self-contradictions and moral failures. Thus, unlikely as it may seem, the Abenferres may well have been individuals well-informed in their faith and law, who were in their own minds pious custodians of their community's best interests. Individual identity is complex and multi-faceted, and the way we perceive of goals depends on the specific contexts we find ourselves in. In some circumstances, the Abenferres may have seen themselves as Muslims living under Christian rule in solidarity with their coreligionists, while in other circumstances they may have seen themselves as a class above their constituents—members of a royal administrative elite that crossed communal lines. This aspect of their identity enabled members of this native colonial

<sup>66</sup> Mikel de Epalza Ferrer, "Dos textos moriscos bilingües (árabe y castellano) de viajes a Oriente (1395 y 1407–1412)," *Hespéris-Tamuda* 20/21 (1982): 25–112, in Arabic, 63 (the late-sixteenth century Spanish translation, 106–07, is quite liberal). The author refers to the Mālikī *madhhab*, or legal school, which dominated the juridical culture of al-Andalus and the Maghrib, and was particularly ill-disposed towards *bid'ā* ("innovation").

<sup>67</sup> Boswell somewhat uncritically assumes the Abenferres' stranglehold on the *aljama* was a positive development, evidently without considering the abuses to which they subjected their own community. See Boswell, *The Royal Treasure*, 84–85.

elite to serve as an effective “hinge” between Christian and *mudéjar* society, while at the same time encouraging them to see their fellow Muslims as beneath them.<sup>68</sup>

Seen in this light, the Abenferres’ story complicates our view of the experience of Muslims living under Christian rule in medieval Iberia. Neither these officials nor their opponents were powerless or passive. They recognized the framework of domination under which they lived and turned it to whatever advantage they could. This frequently meant they became the agents of oppression of the very community which they were charged to defend, and to which they themselves belonged. In other words, although their religious identity and status as a subordinate community defined their experience, they did not see it as solely defining their identity. Social, economic, and political competition took place for the most part within the Muslim community, while relationships of patronage and political allegiance crossed confessional lines. Instances of Muslim-Christian and Muslim-Jewish violence or tensions in fourteenth-century Lleida are extremely rare, whereas conflict within the community was constant. While *mudéjares* could maintain the basic rights fundamental to their community—freedom of religion, and judicial autonomy, and the opportunity for prosperity—it was first and foremost the family that served as their node of identity and provided the structure for their lived experience (Fig. 1).<sup>69</sup>

<sup>68</sup>I propose that societies can be thought of as complex systems in which three broad modes of individual identity can be perceived: ecumenian, corporate, and local (corresponding to the macro-, meso-, and micro-), each of which embodies distinct perspectives and concepts of community. By appreciating that different modes of identity are evoked in different circumstances by the same individual, and that these may embody agendas that are at odds with each other, we can understand how people can behave in apparently inconsistent ways without any sense of incoherence. For the “physics of scale” of identity, see Catlos, *Muslims*, 525–28.

<sup>69</sup>It is a great honor to have the opportunity to contribute to a volume in honor of Remie Constable, who apart from being a generous colleague did so much for our field and our profession and left us so suddenly and sadly. This article has been in gestation for some time. It was first presented in January 1998 under the title, “Muslim Mafia Means Mondo Mudéjar Mayhem?” as part of the “Working in Medieval Studies” symposium, held at the Centre for Medieval Studies (University of Toronto). Therefore, to thank all of the people and institutions I owe for their help would be impossible at this point. That said, special thanks are due to Maria Teresa Ferrer i Mallol, of fond remembrance, who was head of Medieval Studies at the Institució Milà i Fontanals (CSIC) in Barcelona and my long-time mentor and supporter, and to Josefina Mutgé, another generous colleague, now retired from the IMF. Dr. Mutgé was the first historian to systematically study the Muslim *aljama* of Lleida, and encouraged

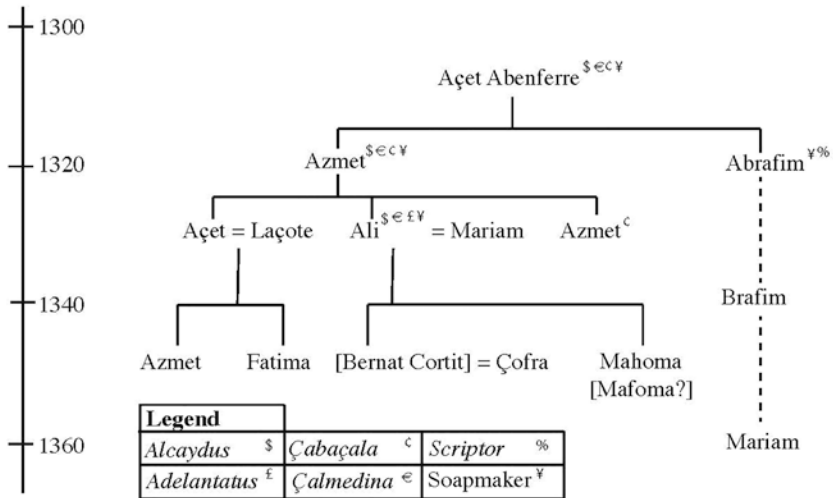


Fig. 1 The Abenferres

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me to work further on the Abenferres. At the time the research was done I enjoyed the support of the Social Sciences and Humanities Research Council of Canada fellowships, as well as fellowships and grants from the Institut d’Estudis Catalans, the Spanish Ministerio de Cultura, and the Centre for Mediaeval Studies of the University of Toronto. A grant from the Eugene Kayden fund at the University of Colorado supported a concluding round of archival research in Lleida and Barcelona. Finally, thanks are due to my colleagues of the CU Boulder Mediterranean Studies Group who offered comments and suggestions when I workshopped this paper in 2016. The larger story of the Abenferres will be recounted in a monograph and document collection tentatively titled “The Abenferres: “Little Caesars” of Fourteenth-Century Mudéjar Lleida.”

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# A Tunisian Jurist's Perspective on *Jihād* in the Age of the *Fondaco*

Janina M. Safran

## A *FONDACO* IN TUNIS

One [of the Christian ‘nations’] restored a church in their commercial residence-complex (*funduq*) and added a structure that resembled a minaret.<sup>1</sup> They were asked about this and brought out their treaty (*kitāb al-ahd*), but the treaty did not settle the matter clearly; it simply granted them the right to build a house of worship. They justified their construction of the minaret-like structure by saying it was for light [perhaps for internal illumination]. The judge (*qāḍī*) sent someone to go investigate: if there were

<sup>1</sup>I use the term “nation” here, following Constable. Constable writes: “[M]erchants from Genoa, Pisa, Venice, Marseille, and other cities saw themselves as members of distinct groups, defined along ‘national’ lines, pursuing their own personal and communal ends, which were distinct from—and in competition with—those of merchants from other European cities.” Olivia Remie Constable, *Housing the Stranger in the Mediterranean World: Lodging, Trade, and Travel in Late Antiquity and the Middle Ages* (Cambridge: Cambridge University Press, 2003), 116.

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clappers [or bells] in the structure, it would have to be altered. The investigator found it was for light, as they said. The exposure of a clapper would be like the exposure of wine-drinking and adultery and they would be punished according to what is in the *Mudawwana* [of Ṣaḥnūn ibn Saʿīd].<sup>2</sup>

The Tunisian jurist, Abū al-Qāsim ibn Aḥmad al-Balawī al-Tūnisī al-Burzulī (d. 1438), provides a window on the world of the *fondaco* as a commentator on contemporary Tunis and as a jurist concerned about the practical as well as principled application of Islamic law in matters pertaining to *jihād*, which included relations with Christian rulers, communities, and individuals. Beginning in the twelfth century and accelerating in the thirteenth, European merchants sought to secure access to trade, trade routes, and beneficial terms of trade from Muslim regimes in the Mediterranean through negotiation and occasional military action, and Tunis became host to communities of Pisans, Genoese, Venetians, and Aragonese-Catalans. Like other Muslim rulers, the *amīrs* of Tunis granted treaties providing for *fondacos*, modeled on *funduqs*, which served to “accommodate, regulate, and segregate western business in Islamic ports” and came to include lodgings, warehouses, and communal structures such as churches, cemeteries, ovens, and baths.<sup>3</sup> Frequently renegotiated, treaties included numerous provisions, including permission to enlarge and improve churches.<sup>4</sup> Al-Burzulī’s discussion of the legal case, quoted above, of an addition to a *fondaco*’s church and of how the local judge handled the question of the structure’s legality, offers a glimpse of the treaty-based Christian community in Tunis; his elaboration of the legal context of the

<sup>2</sup> Abū al-Qāsim ibn Aḥmad al-Burzulī, *Fatāwā al-Burzulī*, ed. Muḥammad Ḥabīb al-Ḥīla, 6 vols. (Beirut: Dār al-Gharb al-Islāmī, 2002), 2: 20. See Constable’s description of the case, citing al-Wansharīṣī, in *Housing the Stranger*, 120. Aḥmad ibn Yahyā al-Wansharīṣī, *al-Miʿyār al-mʿurib wa-al-jāmiʿ al-maghrib ʿan fatāwā ahl Ifrīqiya wa-al-Andalus wa-al-Maghrib*, ed. Muḥammad Hajjī, 13 vols. (Rabat: Wizārat al-Awqāf wa al-Shuʿūn al-Islāmīya lil-Mamlaka al-Maghribīya, 1981–1983), 2: 215–16.

<sup>3</sup> Constable, *Housing the Stranger*, 8. I follow Constable’s usage of the terms *funduq* and *fondaco*: “[A]lthough the facilities for western traders continued to be called *funduqs* in Arabic, their administration and organization differed from ordinary hostels for indigenous merchants. In the current discussion, for the sake of simplicity, the term *fondaco* will apply to facilities intended for western Christian merchants, whereas *funduq* designates hostleries and storage facilities for traders from within the *Dār al-Islām*” (110).

<sup>4</sup> Constable, *Housing the Stranger*, 130, describes Venetian-Ḥafṣid negotiations in 1251; she identifies an Aragonese-Ḥafṣid treaty drawn up in 1287 allowing for the ringing of bells, 119.

case in the chapter on *jihād* in his collection of legal opinions, *Fatāwā al-Burzulī*, demonstrates how jurists came to accommodate the presence and demands of foreign Christian communities in the domain of Islam.

At issue in the immediate case of the Tunisian *fondaco* is whether the treaty-holders could legally expand their church and whether the new minaret-like structure, more specifically, was in violation of a widely recognized prohibition against Christian clappers or bell ringing. The terms of the Christians' treaty do not specify permission to add to the church, but the judge resolves the matter of clappers by inspection. Al-Burzulī's narrative implies that the community of the *fondaco* completed its construction even though their treaty did not specify the privilege of adding to the church—the judge accommodated the *fait accompli*. Al-Burzulī's recollection of the case of the Tunisian *fondaco* is coupled with his account of another Tunisian case; here his acknowledgment of a jurist's predicament in a similar situation is more overt. In paraphrase:

The Christians in Tunis built a structure [a church] that overtopped the madrasa al-Tawfiq [a school of Islamic scholarship]. Al-Burzulī spoke to Ibn 'Arafa about it and reminded him of al-Ṭurṭūshī's opinion [previously cited] that when Christians build in Muslim settlements, they may not build structures that are higher than the buildings of the Muslims, according to the Prophet's statement: 'Islam is exalted and nothing is exalted above it.' He [Ibn 'Arafa] considered the matter and pointed out that al-Ṭurṭūshī recalled al-Shāfi'ī in this instance [the authoritative master associated with the eponymous Shāfi'ī "school" of law]. Al-Burzulī continues, 'I told him: there is nothing in the [Mālikī] *madhhab* [school or tradition of Islamic law] that differs with him [al-Shāfi'ī] on this (al-Burzulī, Ibn 'Arafa, and al-Ṭurṭūshī were all Mālikīs; the Mālikī school predominated in Tunis and the Islamic west). He [Ibn 'Arafa] disregarded this [al-Burzulī's point] and it is possible that he saw that he could not support the building's destruction because of their [the particular Christian community's] influence with the sultan or he saw it as a matter of possible legality; he did not attempt to change the edifice.'<sup>5</sup>

Al-Burzulī informs the reader that the legal problem in this case was twofold: the Christians built a structure too high, overlooking the Muslims, and they renovated a church without express permission to do so. Al-Burzulī's recollection of these two legal cases provides evidence of

<sup>5</sup> Al-Burzulī, *Fatāwā*, 2: 19–20.

the material development of the foreign Christian community in Tunis in his day and the political support they enjoyed. The stories and al-Burzulī's comments suggest how legal practice in matters regarding the Europeans was constrained by external factors and how, in such circumstances, jurists—including himself—also strived to uphold legal principles.

Al-Burzulī presents the two Tunisian cases in the context of his discourse on a *fatwā* (an individual jurist's legal opinion in response to a specific question) he culled from a collection of legal cases by a twelfth-century Cordoban Mālikī jurist, Ibn al-Ḥājj (d. 1134). The *fatwā* is a response to a two-part question al-Burzulī presents synoptically.<sup>6</sup> The question is whether Christians [expelled from Granada, Seville, and Cordoba by the Almoravid ruler, 'Alī ibn Yūsuf ibn Tashufīn, after Alfonso the Battler's campaign in 1125] who arrived from the opposite shore [having been relocated to the Maghrib from al-Andalus] were permitted to build churches in the places where they settled, and whether they should be compensated for any pious endowments they may have left behind [in al-Andalus]. Al-Burzulī's commentary on Ibn al-Ḥājj's response leads us to the legal cases in Tunis about the renovation of churches. I have relayed the narrative of the text in the opposite direction to emphasize how al-Burzulī contextualizes legal practice in Tunis.

Al-Burzulī's commentary develops a legal bridge between the rights Muslim rulers accorded the *ahl al-dhimma* (people of the [pact of] protection) who lived in their lands and paid the *jizya*, and the privileges they accorded the Europeans of the *fondacos* by treaty. Whether or not the *ahl al-dhimma* could build new churches or renovate old churches was a matter of long-standing discourse in the *madhhab*, whose parameters

<sup>6</sup>Al-Burzulī, *Fatāwā*, 2: 17. See also al-Wansharīsi, *Mī'yār*, 2: 215–16: A question addressed to the jurists of Tlemcen about the Jews of Tuwāt and their houses of worship includes al-Burzulī's rendition of Ibn al-Ḥājj's opinion as well as al-Burzulī's case about the *fondaco*'s church as examples of rulers having the authority to grant the construction of houses of worship to unbelievers who settle among them. See John O. Hunwick, "al-Maghili and the Jews of Tuwat: the Demise of a Community," *Studia Islamica* 61 (1985): 155–83 and idem, "The Rights of Dhimmis to Maintain a Place of Worship: A 15th Century Fatwa from Tlemcen," *al-Qantara* 12, no. 1 (1991): 133–56. Ibn Ward (d. 1136), *qāḍī* of Granada, also wrote an opinion on the relocated Christians, al-Wansharīsi, *Mī'yār*, 8: 56–64. Serrano Ruano discusses *fatwās* by Ibn Ward and Qadi 'Iyād (d. 1149) of Ceuta concerning the property of the relocated Christians, in Delfina Serrano Ruano, "Dos fetuas sobre la expulsión de los mozárabes al Magreb en 1126," *Anaquel de estudios árabes* 2 (1991): 163–82. See also Janina M. Safraan, *Defining Boundaries in Al-Andalus: Muslims, Christians, and Jews in Islamic Iberia* (Ithaca: Cornell University Press, 2013), 205–8.

al-Burzulī includes in his commentary.<sup>7</sup> Jurists considered circumstances of conquest, terms of treaties, *dhimmī* migration to Muslim-founded cities, and proximity to the Muslims in their deliberations. What makes the case of the Andalusī Christians who were relocated to the Maghrib legally compelling in this regard is that they were protected Christians who were not the original subject population of the Maghrib but came from elsewhere. Having been forced to leave their home churches, they needed new places to worship. The ruler, in consultation with a number of jurists, granted them this privilege. Prior to this point in the text, al-Burzulī cited and commented on another of Ibn al-Ḥājj's opinions in the latter's compendium, the *Nawāzil*, that addresses a related question—whether the Christians of Granada, some of whom were suspected of aiding the *ahl al-ḥarb* (people of the [domain of] war) and all of whom he considered potentially dangerous, may be expelled. The question refers to the caliph 'Umar ibn al-Khaṭṭāb's (d. 644) expulsion of Jews and Christians from the Arabian Peninsula in the era of the Rightly-Guided caliphs, in accordance with the *ḥadīth*: "There will not remain two religions in the Arabian Peninsula." In his response, Ibn al-Ḥājj affirms the need for harsh punishment of anyone who has been proven to be a spy for the enemy. Any individual *dhimmī* who has spied for the enemy has violated the pact of protection and must be killed and his property and young children are forfeited to the treasury. The punishment, however, does not apply to anyone else (the punishment is not collective). Ibn al-Ḥājj dismisses the example of 'Umar's expulsion of the Jews and Christians as a unique event due to the Prophet's specific covenant for the Arabian Peninsula.<sup>8</sup>

Ibn al-Ḥājj justifies the expulsion (or rather, relocation) of the Christians of Granada in his answer to the question of whether or not the relocated Christians may build either temples or churches in the lands where they settled. Al-Burzulī quotes: "These Christians are called 'the *mu'āhidūn*' [those with a treaty]. This requires their constancy to (the terms of) the 'ahd (treaty) and the 'aql (pact) of protection they had previously, and good faith toward them is a legal obligation. Every party (*ṭā'ifa*) among them has the right to build one temple to practice their religion but they are forbidden from hitting clappers [or ringing bells]. This is granted because the *Amīr al-Muṣlīmīn* [the Commander of the Muslims, the Almoravid ruler] ordered that they be moved from the peninsula of

<sup>7</sup> Al-Burzulī, *Fatāwā*, 2: 18–19.

<sup>8</sup> Al-Burzulī, *Fatāwā*, 2: 14–15.

al-Andalus out of fear of them and for the protection of the Muslims.”<sup>9</sup> The ruler relocated the Christians out of concern to protect the Muslims and the principle that every party of *mu‘āhidūn* has a right to build a place of worship suggests how Muslim jurists and rulers tolerated or justified the churches of the variety of “nations” who built them for their *fondacos*.

Al-Burzulī’s chapter on *jihād* may be read as an extended discourse about how to uphold Islamic principles at a time when the opposition of the domain of Islam and the domain of war was tested in the ways of the era. Indeed, foreign Christians lived in Muslim lands without paying the *jizya*, the poll-tax paid by *ahl al-dhimma* in exchange for their protection, and Muslims lived under Christian rulers in the domain of war, in parts of Spain, Sicily, and elsewhere. Al-Burzulī wrote about *jihād* as a matter of law from the perspective that every aspect of life is a matter of law. As his text exemplifies, his role as a jurist was to use his knowledge to make the best assessment of what to do and how to act, based on the teachings of past masters and discussions with contemporaries about sources, authoritative opinions, and recent rulings and *fatwās*. When he writes, “the branches of the *shar‘a* [law] are built from probability,” he means, as his fellow jurists commonly expressed, that the elaboration of law from original sources and principles is based on the most probable interpretation of evidence found in authoritative texts. He also means, as I will demonstrate, that the elaboration of practical law also depends on jurists’ evaluation of circumstances and determination of whether the most probable consequence of an action will help or harm the Muslims, and when given two evils, which is the lesser of the two. This essay develops its focus on the Tunisian jurist’s perspective on *jihād* as contextual, historical, and practical through discussion of two further subjects: al-Burzulī’s discussion of the legal concept that “the lesser harm banishes the greater” and his discourse on the meaning of *jihād*. Al-Burzulī’s explication of the concept of the “lesser harm” demonstrates his method of using historical example to evaluate and develop legal opinions, and his consideration of political circumstance as a factor in determining an appropriate legal position. The brief section of his writings where al-Burzulī discusses *jihād* as a religious obligation and as a matter of state further expresses a process by which jurists come to terms with the multiple forms of engagement Muslims had with their enemies, in warfare and otherwise, as well as the various reasons Muslims fought or did not fight.

<sup>9</sup> Al-Burzulī, *Fatāwā*, 2: 17–18.

## HISTORICAL BACKGROUND

A bit of historical background is necessary to understand al-Burzulī's frame of reference, particularly given his attention to historical circumstances and their relevance to specific cases. Tunis became a regional capital of Ḥafṣid claimants to Ifrīqiyā in the reign of Abū Zakariyā Yaḥyā (r. 1228–1249). The ruler's effective power in Ifrīqiyā beyond Tunis, in fact, may have been more imagined than real during the two centuries preceding al-Burzulī's death. Ramzi Rouighi argues that before the reign of Abū al-ʿAbbās II (r. 1370–1394), Ifrīqiyā was, in fact, the locus of a multiplicity of Ḥafṣid emirates (rather than a weak Tunis-centered state).<sup>10</sup> Conflicts between rival Ḥafṣid claimants to preeminence, in Tunis, Bougie, Constantine, and Tripoli, pepper the dynasty's history. Ḥafṣid rulers faced challenges in their relations with elites in the cities of Ifrīqiyā, including Andalusi immigrants and Almohad shaykhs, and struggled to assert authority over the chiefly families that dominated many regions of the country. The strength of various Ḥafṣid rulers relative to their neighbors shifted back and forth but for the most part the Ḥafṣids managed to maintain their dynasty against foreign aggressors, Muslim and Christian, through warfare and diplomacy. Tunis's location on the southern coast of the Mediterranean opposite Sicily, "the most valuable possession in the central Mediterranean," predicated its involvement in European dynastic claims to the island and European imperial ambitions.<sup>11</sup> Not coincidentally, Charles d'Anjou diverted Louis IX's last crusade to Tunis in 1270. Tunis was strategically important, and served as a significant market in the central Mediterranean, and an outlet for West African gold.

The earliest *fondacos* in Tunis may have pre-dated Ḥafṣid rule, but Pisans, Venetians, and Genoese successfully renewed privileges and enlarged their *fondacos* in the 1230s, and other Europeans followed suit, securing and renewing treaties throughout the period of Ḥafṣid rule; the size and influence of these and other European communities, notably that

<sup>10</sup> See Ramzi Rouighi, *The Making of a Mediterranean Emirate: Ifrīqiyā and Its Andalusis, 1200–1400* (Philadelphia: University of Pennsylvania Press, 2011).

<sup>11</sup> Constable, *Housing the Stranger*, 191. Hussein Fancy, *Mercenary Mediterranean: Sovereignty, Religion, and Violence in the Medieval Crown of Aragon* (Chicago: University of Chicago Press, 2016), describes Aragonese ambitions to rule Sicily, 75–85. See Ronald A. Messier, "The Christian Community of Tunis at the Time of St Louis's Crusade, A.D. 1270," in *Latin Expansion in the Medieval Western Mediterranean*, ed. Eleanor Congdon (Farnham, UK; Burlington, VT: Ashgate, 2013), 295–310.

of the Aragonese-Catalans, grew. As the Crown of Aragon under James I (r. 1213–1276) and his successors pursued an expansionist policy in Spain and the Mediterranean, the Ḥafṣids came directly into their line of vision. Peter III (r. 1276–1285) conquered Sicily in 1282 and took Jerba in 1284 and Qarqana in 1285 from the Ḥafṣids. Given their military and naval strength, the kings of Aragon successfully pressured the Ḥafṣids to grant and renew favorable trade terms, including rights to the revenues of the Aragonese-Catalan *fondacos*, originally founded in Tunis and Bougie early in the reign of the second Ḥafṣid ruler, al-Mustaṣṣir (r. 1249–1277). At the same time, in the late thirteenth and early fourteenth centuries, Aragonese kings exchanged soldiers with North African rulers and asserted jurisdiction over their soldiers in Tunis.<sup>12</sup> At times, they interfered in Ḥafṣid internal affairs to maintain their advantages. When King James II of Aragon and Valencia and count of Barcelona (r. 1291–1327) (also King James I of Sicily r. 1282–1296), and his brother, King Frederick III of Sicily (r. 1296–1337), dominated the western Mediterranean, for example, Sicilian ships supported Abū Yaḥyā Zakariyā ibn al-Liḥyānī, a Ḥafṣid pretender, in his efforts to take the Ḥafṣid throne in 1311. However, the Ḥafṣid ruler of Constantine and Bougie overthrew al-Liḥyānī in 1318 and the new ruler, Abū Yaḥyā Abū Bakr (d. 1346), undertook the unification of Ifrīqiyā and forced the Aragonese-Catalans to evacuate Jerba and Qarqana in 1335.<sup>13</sup>

In al-Burzulī's era, Tunis underwent two Marinid invasions in 1347–1348 and 1357 and saw in 1370 the overthrow of one Ḥafṣid ruler, Abū al-Baqā', by another—his rival in Constantine, Abū al-ʿAbbās. Abū al-ʿAbbās enjoyed a long reign (r. 1370–1394) in which he effectively established a regional emirate. Together with his successor, Abū Fāris (r. 1394–1434), he succeeded in wresting control from tribal chiefly families, and in bringing all the important towns of Ifrīqiyā under the authority of Tunis. Regional piracy flourished in the late fourteenth century, with rival pirate bases established in Majorca, Bougie, and al-Mahdiya. In 1390, an

<sup>12</sup>Fancy, *Mercenary Mediterranean*, 90–94. In treaties between Muslim and Christian rulers regarding the employment of Muslim soldiers in North Africa, Muslim rulers agreed to terms regarding ranks and salaries and granted the Christian militias the right to build churches and practice their religion. The kings of Aragon gained the right to name a captain over the soldiers who also administered the Crown's justice.

<sup>13</sup>Constable, *Housing the Stranger*, 128–33, 192–93; Jamil M. Abun-Nasr, *A History of the Maghrib in the Islamic Period* (Cambridge: Cambridge University Press, 1987), 124–26; Rouighi, *Mediterranean Emirate*, 25–45.



expedition of ships from Genoa, Sicily, France, and Aragon besieged al-Mahdiya for six months. Nonetheless, commercial relations with European states expanded, with periods of peace occasionally interrupted by acts of belligerency. Venice and Majorca attacked ‘Annaba in 1399 and an Aragonese fleet attacked Qarqana in 1418. During the last years of al-Burzulī’s life he witnessed what proved a short period of political uncertainty: after the brief and contested reign of al-Mustanşir (1434–1435) and another rebellion, Abū ‘Amr ‘Uthmān came to power in 1435. Al-Burzulī died in 1438 and Abū ‘Amr ‘Uthmān ruled for almost half a century, until his death in 1488.<sup>14</sup>

### AL-BURZULĪ AND HIS *FATĀWĀ*

Abū al-Qāsim al-Burzulī grew up in Qayrawān and moved to Tunis in his late twenties, where he continued his education. Between 1396 and 1398, he performed the pilgrimage to Mecca and traveled to Medina, as well as Syria and Egypt, studying with several scholars before returning to Tunis. He taught jurisprudence (*fiqh*) in Tunis and became the imam, preacher, and mufti of the Zaytūna mosque in 1410. While al-Burzulī studied with many masters and received licenses for transmission (*ijāzāt*; s. *ijāza*) from many of his teachers, his longest and closest relationship was with his teacher and colleague, Abū ‘Abd Allāh Muḥammad ibn Muḥammad Ibn ‘Arafa al-Warghammī (1316–1401). Both Ibn ‘Arafa and Tunis figure in al-Burzulī’s discussion of *jihād* in the *Fatāwā*.<sup>15</sup>

The *Fatāwā al-Burzulī* (also known as *Jāmi‘ masā’il al-ahkām*) is unlike other more familiar collections of *fatwās*.<sup>16</sup> Rather than a dossier of the jurist’s own *fatwās* (like the *Fatāwā* of Ibn Rushd) or an assemblage of other jurists’ *fatwās* in more or less complete reproduction, like al-Wansharī’s *Mi‘yār*, al-Burzulī’s volumes are really an extended commentary on *fatwās* and legal opinions culled from texts and *fatwā*

<sup>14</sup> Abun-Nasr, *History of the Maghrib*, 118–34; Rouighi, *Mediterranean Emirate*, 50–53, 89–93.

<sup>15</sup> For a full biography, see the introduction to al-Burzulī, *Fatāwā* by Muḥammad al-Ḥabīb al-Hilla, 1: 5–46. On Ibn ‘Arafa, see Saad Ghrab, *Ibn ‘Arafa et le mālīkisme en Ifrīqiyyā au VIIIe/XIVe siècles* (Tunis: Publications de la faculté des Lettres de la Manouba, 1992–1996).

<sup>16</sup> See Zomeño’s discussion of variant narrative styles in *fatwās* and *fatwā* collections in Amalia Zomeño, “The Stories in the *Fatwās* and the *Fatwās* in History,” in *Narratives of Truth in Islamic Law*, ed. Baudouin Dupret, Barbara Drieskens, and Annelies Moors (London: I.B. Tauris, 2008), 25–49.

collections by eminent Mālikī scholars, predominantly those of al-Andalus, the Maghrib, and Ifrīqiyyā, and opinions he heard and transmitted himself.<sup>17</sup> Perusing the *Fatāwā*, one gains an impression of the jurist in consultation of a substantial library—perhaps that of the Zaytūna mosque.<sup>18</sup> One also discerns a pedagogical interest in his discussion of *fatwās* that is at least as oriented to discussion and demonstration of contextual relevance as to juridical methods and the evaluation of points of difference in jurisprudential terms. Al-Burzulī’s commentary on *jihād* is to a fair extent structured around discussion of portions of two *fatwā* collections, Muḥammad al-Qaṣī’s (d. 1335–1336) *ʿAsīla* and, more extensively, Ibn al-Ḥājj’s (d. 1134) *Nawāzil*.<sup>19</sup> His commentary branches by association from points of interest in one text to opinions expressed in other texts; he introduces the texts and individuals he cites with phrases such as: “in the *Mudawwana*”; “in the *Nawāzil*”; “Ibn Rushd gave the legal opinion”; and “Ibn Yūnis narrated.”<sup>20</sup> In places he quotes a sentence or two, in others he quotes a passage, or a full *fatwā*. He offers his opinions, typically prefaced by “I said,” and in doing so makes connections to his personal observations and historical understanding, as well as to the opinions of other Mālikī jurists and *fatwā* collections. In this chapter, al-Burzulī thus draws on the work of Ibn Rushd (1126), al-Lakhmī (d. 1085 or 1086), and al-Māzarī (d. 1141), among others in his elaborations of issues, and refers to the opinions of his former teachers and contemporaries, and especially those of Ibn ʿArafa, whom he refers to as “our shaykh, the imām.” The body of discussion includes citations of relevant *masāʾil* (opinions of Mālik, his students, and authoritative scholars of the ninth century) recorded in texts such as Saḥnūn’s *Mudawwana*, Ibn Ḥabīb’s *Wādiḥa*, al-ʿUtbī’s *Mustakbraja*, and Ibn Abī Zayd’s *Nawādir wa-l-Ziyādāt* and commentaries on the *masāʾil*, as well as quotations of relevant *ḥadīths* and Qurʾānic verses. Al-Burzulī’s discussion of differences of

<sup>17</sup> Al-Burzulī, *Fatāwā*, 1: 61.

<sup>18</sup> See Joseph Schacht, “On Some Manuscripts in the Libraries of Kairouan and Tunis,” *Arabica* 14 (1967): 225–58.

<sup>19</sup> The Andalus-oriented content of many of the opinions al-Burzulī attributes to Ibn al-Ḥājj, his frequent pairing with Ibn Rushd al-Jadd (d. 1126), and direct reference to his tenure as *qāḍī* of Cordoba (*Fatāwā*, 1: 518) lead me to attribute the *Nawāzil* to Muḥammad ibn Aḥmad al-Tujībī, known as Ibn al-Ḥājj (d. 1134), of Cordoba, rather than to the Egyptian jurist Ibn al-Ḥājj al-ʿAbdarī al-Fāsī (d. 1336), author of *al-Madbkal*.

<sup>20</sup> Often he continues his discussion of a particular text with “and in it”; the reader must take care to follow the logic of his unfolding discussions and chains of references.

opinion on points of law also includes occasional reference to opinions in other *madhhabs* or traditions of law. The chapter on *jihād*, in fact, begins with a question in al-Qaṣṣī's *ʿAsīla* about a matter of disagreement between a Shāfiʿī jurist and a Mālikī jurist. The subject is a Qurʾānic verse (9:91) and elaboration of its meaning that the disabled, the injured, and those without means are not obligated to perform *jihād*.<sup>21</sup> The chapter ends with discussion of al-Māzarī's *fatwā* addressing the question of Muslim travel to Sicily (under Christian rule) and its prohibition.

### THE LESSER HARM IS BANISHED BY THE GREATER

Al-Burzulī's selection of opinions and commentary expresses a practical outlook in matters of warfare and diplomacy. He makes the point, through discussion of historically defined legal examples, that some judgments are contingent on circumstances. A jurist must therefore be informed about history and understand how to evaluate potential costs and benefits if he is to advise a ruler and make decisions that affect the community. Or, considered from another perspective, a jurist should be prepared to be consulted and to accommodate political and military constraints and objectives. In certain situations, jurists apply the principle that given a choice of two evils, one must choose the lesser of the two, as expressed in the *ḥadīth*: "When two harms occur, the lesser is banished by the greater." Al-Burzulī suggests that such decisions should be evaluated both in the context of their times and in the light of hindsight, in order to determine their relevance to other cases or circumstances. He demonstrates this method in his discussion of Ṣalāḥ al-Dīn's decision to destroy the fortifications of Ascalon.

The subject of the intentional destruction of Muslim defenses arises from al-Burzulī's commentary on Ibn al-Ḥājj's *Nawāzil*. After quoting a sampling of *ḥadīths* that extoll fighting in the way of God and promise heavenly reward, al-Burzulī shifts themes. Ibn al-Ḥājj, he reports, cites the caliph ʿUmar ibn al-Khaṭṭāb's concern to preserve Muslim lives—"A Muslim I spare is dearer to me than a fortress I may conquer"—and the

<sup>21</sup>The full verse reads: "There is no blame on those who are infirm, or ill, or who find no resources to spend (on the cause) if they are sincere (in duty) to Allah and his messenger; no ground (of complaint) can there be against such as do right: and Allah is oft-forgiving, most merciful." ʿAbdullah Yūsuf ʿAlī, *The Meaning of the Holy Qurʾān* (Bethesda: Amana Publications, 1997), 9: 91.

Umayyad caliph ‘Umar ibn ‘Abd al-‘Azīz’s determination to destroy al-Maṣṣīṣa (a border town in Cilicia taken and retaken by the Muslims in their wars with the Byzantines).<sup>22</sup> Al-Burzulī takes up what he recognizes as a legal foundation for defensive strategy and extends it, observing that the jurists of Egypt and Syria in Ṣalāḥ al-Dīn’s time agreed to the destruction of Ascalon and to leaving it unfortified. The city had been taken back from the Christians after much exertion and they feared it might otherwise serve as a base for Christian revanche (should another expedition follow the Third Crusade). Similarly, they gave a *fatwā* for the destruction of the walls of Jerusalem so that the defeated Christians would not wait there in anticipation of overturning the Muslims (in another crusade). Al-Burzulī reports, “I have seen this with my own eyes: Ascalon remains unpopulated except for a few defenders (*murābiṭūn*) in the city’s ruins. Similarly, the walls of Jerusalem remain in ruins.” He sums up that this intentional destruction was to “lessen harm,” in the spirit of the *ḥadīth*: “when two harms occur the lesser is banished by the greater.” The jurists were afraid of the possibility that the enemy would return and recover these fortifications, to the detriment of the Muslims.<sup>23</sup> Al-Burzulī returns to the example of Ṣalāḥ al-Dīn in his commentary on Ibn al-Ḥājj’s *fatwā* on the expulsion of Granadan Christians who aided Alfonso I the Battler’s campaign deep in Andalusi territory. He observes that the same fear of the enemy that prompted Ṣalāḥ al-Dīn’s destruction of the fortifications of Ascalon (in 1192) and Jerusalem informed the relocation of the Andalusi Christians (in 1126). Perhaps, he points out, the Christian enemies (of the Iberian Peninsula) were able to seize the lands of al-Andalus from the Muslims subsequently because of those Christians who were not expelled, as well as because of the weakness of the Muslims due to the divisions among their leaders. The lesson he proposes is that if one has a strong expectation that local Christians might point out Muslims’ weaknesses to the enemy, generally speaking, then it is proper to expel them, “because the branches of the law are built on probability.”<sup>24</sup>

Al-Burzulī extends the discussion of ‘Umar ibn ‘Abd al-‘Azīz’s intention to destroy al-Maṣṣīṣa to the example of Ṣalāḥ al-Dīn’s defensive actions and develops it further in consideration of other examples, such as the circumstances of Muslims in Iberia, demonstrating a form of analysis

<sup>22</sup> Al-Burzulī, *Fatāwā*, 2: 13–14.

<sup>23</sup> Al-Burzulī, *Fatāwā*, 2: 14.

<sup>24</sup> Al-Burzulī, *Fatāwā*, 2: 15.

that is legally and historically grounded and strategically minded. Al-Burzulī cautions against blind application of historical example, however: the model posed by the destruction of al-Maṣṣīṣa might not apply to every fortress in lands bordering the enemy that is vulnerable to attack. In illustration, he poses the example of the port of al-Mahdiyya. Twice the city fell to the enemy when the Zirids were in power (in 1087 and 1148); the Almohads expended tremendous resources to recover it (and did not subsequently destroy the city). Al-Burzulī explains in this case it is proper not to destroy the hard-won city; while al-Mahdiyya is strategically important, it is not a border city and when the enemy attacks by sea from abroad, they rarely seek to conquer. A rare occasion is not a basis for a legal decision, he affirms.<sup>25</sup> Al-Burzulī develops the analysis further, building on the legal subjects raised in the *Nawāzil* regarding relocation (of the Granadan Christians) and destruction of defenses (al-Maṣṣīṣa) in the case of the island of al-Qawṣara (Pantelleria), off the coast of Sicily. The island came under Christian rule in 1123 and Aragonese-Catalan rule in 1311. Al-Burzulī observes that the Muslims inhabiting the island are known for their accommodation to the *ahl al-ḥarb*—those who vie for Muslim lands—and some of them cooperate with the enemy, exposing the Muslims' weaknesses and undermining Muslim expeditions in the domain of war. The correct action for the Muslim leader who has the capability to do so is to extract the Muslims from the island and destroy its fortresses. His position is based on his observation of the circumstances: Christian occupation of the neighboring islands and the unlikelihood that the Muslims, should they take al-Qawṣara, would be able to use it as a forward base to defeat the neighboring Christian forces.<sup>26</sup>

Al-Burzulī provides two further subjects of legal discussion that depend on estimation of “the lesser of two evils.” In both instances, a ruler seeks

<sup>25</sup> Al-Burzulī, *Fatāwā*, 2: 15.

<sup>26</sup> Al-Burzulī, *Fatāwā*, 2: 15. Al-Burzulī also discusses the subjection of the Muslims of al-Qawṣara to Christian rule in his commentary on the status of the property of Muslims living amid unbelievers and the *masala* addressed by Mālik's students about whether the property and family of the *ḥarbī* (enemy from the land of war) who converts to Islam and emigrates, or does not emigrate, are subject to Muslim predation. In his view, those Muslims in al-Qawṣara who were conquered (and could not leave) and had freedom of action (to live as Muslims) did not have their rights impugned (they were despicable but did not suffer *jurḥa*—loss of legal probity and rights, in this case). Those who were there by choice did suffer *jurḥa* and the legal decision regarding their property was thus affected. They are similar (in circumstance) to the people of al-Andalus. Al-Burzulī, *Fatāwā*, 2: 22–23.

counsel with jurists and extralegal concerns thus inform their opinions. The first instance tests the meaning of the principle of redeeming Muslim captives with everything possible—with money, fighting, or invasion—and qualifies the principle in a way that acknowledges political constraints. Ibn al-Ḥājj's *fatwā* concerns a truce the Christians seek to make with the Almoravid ruler that involves an exchange of captives. According to the terms of the truce, Christians who have been already bought by Muslims will be redeemed at cost and, similarly, Muslims who have been bought by Christians will be redeemed at cost. The questions addressed in the *fatwā* are: Is this treaty permitted on grounds that it is a way to redeem Muslims, according to the principle that the benefit of the generality supersedes the benefit of an individual (slave owner)? Or is it a situation where the benefit (*maṣlaḥa*) and detriment (*mafsada*) to the community are weighed? The answer is the latter, that the principle of the lesser of two evils applies, according to the Prophet's statement, "If two harms occur, the lesser is banished by the greater." The *fatwā* includes an example of a situation requiring evaluation: perhaps the number of Christian captives is great and among them is someone whom it would be detrimental to the Muslims to send back to the enemy, and the number of Muslim captives is small. Evaluation is especially important if one fears that the Christians will not uphold the truce. Thus, al-Burzulī relates, the Commander of the Faithful and the *'ulamā'* in his presence weighed the advantages and disadvantages.<sup>27</sup>

In the second instance, al-Burzulī presents and comments on al-Māzarī's well-known *fatwā* about whether Muslims were permitted to travel to Christian-ruled Sicily.<sup>28</sup> In his response, al-Māzarī alludes to the Zirid Sultan of al-Mahdiya's prior consultation with himself and other jurists on the matter and the agitation at the time due to a food shortage. Al-Māzarī's answer is that travel to Sicily is not permitted as long as Muslims would there be subject to the Christians' law. He supports his opinion (as he did before) with a Qur'ānic verse (9:28), averring that the "sanctity of the Muslims," which would be violated should they travel to Sicily, "should

<sup>27</sup> Al-Burzulī, *Fatāwā*, 2: 41.

<sup>28</sup> Al-Burzulī, *Fatāwā*, 2: 45–46. This is part of a longer question regarding Muslims' trade in Sicily. Hendrickson discusses versions of al-Māzarī's *fatwā* and provides a full translation in appendix A of Jocelyn Hendrickson, "Is al-Andalus Different? Continuity as Contested, Constructed, and Performed across Three Mālikī Fatwās," *Islamic Law and Society* 20, no. 4 (2013): 371–424. See Sarah Davis-Secord, "Muslims in Norman Sicily: The Evidence of Imām al-Māzarī's *Fatwās*," *Mediterranean Studies* 16 (2007): 46–66.

not be violated because of the need for food, because God will enrich them with his favor, if he so wills." Al-Māzarī adds that, subsequent to the initial consultation, he sought the opinion of his elderly former teacher, Ibn al-Ṣā'igh (d. 1093), in his retirement. Ibn al-Ṣā'igh affirmed the view that Muslim travel to Sicily was not permissible and added another legal basis for the prohibition: "If we travel to Sicily, a great deal of money accrues to them (the Christians) and strengthens them in their (state of) warfare against the Muslims."

Al-Māzarī articulates a general principle in a distinctive way in this *fatwā*, adducing an unusual Qur'ānic proof text (9:28). Jocelyn Hendrickson's analysis of two versions of the *fatwā* highlights the mixed response of al-Māzarī's fellow jurists to the way he derived his opinion (made early in his career as a jurist). Given the resistance of some of the jurists in the initial consultation to his interpretation, he sought his former teacher's opinion—on the question, not on the method he employed—and received an affirmation of the prohibition of travel to Christian Sicily, but on different grounds. Hendrickson's discussion of how later jurists assimilated al-Māzarī's opinion in various ways describes a process by which his, or any jurist's, authority is recognized and established.<sup>29</sup> Al-Burzulī's *Fatāwā* participates in this process; al-Burzulī recognizes al-Māzarī's opinion, but he also affirms the more recognized foundations for a prohibition of travel for trade in the domain of war. He observes that "the shaykhs" disagreed over al-Māzarī's interpretation of the Qur'an in this matter and finds "the correct authoritative statement (*qawl*) that of the one who uses Saḥnūn's *qawl* as explication."<sup>30</sup> Al-Burzulī is likely referring to Ibn al-Ṣā'igh's legal argument (Mālik forbade selling anything to the *ahl al-ḥarb* that would increase their strength against the Muslims).<sup>31</sup> Al-Burzulī's commentary on al-Māzarī's *fatwā* (which continues further) demonstrates the authority of the *Mudawwana* in guiding Muslim consensus, and also returns to the principle expressed in the "*ḥadīth* of the two harms." He indicates that Ibn al-Ṣā'igh's opinion is rooted in Mālikī juridical tradition and informed by his evaluation of circumstances: "If such travel and trade (for food, out of necessity) strengthened the

<sup>29</sup> Hendrickson, "Is al-Andalus Different?"

<sup>30</sup> Al-Burzulī, *Fatāwā*, 2: 46.

<sup>31</sup> Saḥnūn, *Mudawwana*, 4: 270.



Christians, as Ibn al-Ṣā'igh said, then this becomes a matter of the exchange of two evils and the 'lesser harm banishes the greater.'<sup>32</sup>

Al-Burzulī concludes, and thus closes the chapter on *jihād*, with Ibn 'Arafa's response to the related question of whether Muslims were permitted to travel on Christian ships for trade or to perform the pilgrimage. Ibn 'Arafa opines that this depends on the circumstances: If the *amīr* of Tunis was stronger than the Christians (*al-Rūm*) it was permitted, but otherwise it was not, because the Christians insult the Muslims. In his view: what is proper today is that it is forbidden. Al-Burzulī acknowledges a specific, observed, exception in his final remark: "One of the upright men used to travel (sail) with them (the Christians) and perhaps he considered it a necessity."<sup>33</sup> Al-Burzulī's conclusion is that this legal question, as others, depends on circumstances. In fact, this is not al-Burzulī's only word on this specific topic. He addresses the subject of Muslim travel on Christian boats (and al-Māzarī's *fatwā*) in his chapter on the *ḥajj*.<sup>34</sup> Here he cites another contemporary and former teacher, Abū Muḥammad 'Abd Allāh al-Shabībī (d. 1380), in his assessment of whether travel on Christian ships is *jurḥa*, an offense that affects a Muslim's probity: "The correct position today depends on circumstances. If the *amīr* of Tunis is strong such that the Christians would fear him, if they should betray or abuse the association, then it is not a serious matter; otherwise it is grave. On another occasion he said: the answer is that it is grave." Here, as previously, al-Burzulī observes: "But I saw one of the men of good standing and learning travel with them and he saw it as necessary because the difficulties of the land route prevented him from taking it."<sup>35</sup>

Al-Burzulī's invocation of the principle "the lesser harm banishes the greater" suggests a legal strategy for jurists asked to address politically relevant questions in constraining circumstances, allowing for the evaluation of external factors in the formulation of legal opinions. In all al-Burzulī's examples of the exercise of the principle, a state of war is presumed (as one might expect of a chapter on *jihād*) and the relative strength of Muslim to Christian power comes into play. Each example records a

<sup>32</sup> Al-Burzulī, *Fatāwā*, 2: 46.

<sup>33</sup> Al-Burzulī, *Fatāwā*, 2: 46.

<sup>34</sup> Al-Burzulī, *Fatāwā*, 1: 595–98. See Hendrickson's discussion in "Prohibiting the Pilgrimage: Politics and Fiction in Mālikī *Fatwās*," *Islamic Law and Society* 23 (2016): 182–86 and appendix A.

<sup>35</sup> Al-Burzulī, *Fatāwā*, 1: 595.

situation in which a ruler seeks the counsel of jurists, involving them in matters of state as well as law. In the development of his commentary on Ibn al-Ḥājj's *Nawāzil*, al-Burzulī links 'Umar ibn 'Abd al-'Azīz at Maṣṣīṣa, 'Alī ibn Yūsuf, the Almoravid ruler, and Ṣalāḥ al-Dīn in a way that gives historical authority to Ibn al-Ḥājj's opinion about the relocation of the Christians of Granada, and establishes a set of precedents for what al-Burzulī demonstrates are incidents in which the principle of "the two harms" applied. Relative to Tunis in his lifetime, he assesses the strategic value of al-Qawṣara and opines that, ideally, the Muslims of the island should be withdrawn, and presents Ibn 'Arafa and al-Shabībī's assessments of the *amīr* of Tunis' relative power in consideration of the circumstances in which Muslims were traveling on Christian ships because the land route was too dangerous. Al-Burzulī's demonstration of the principle of "the two harms" and commentary suggest that while its use accommodates decision making in difficult political circumstances, it does not represent a compromise of legal principles. In al-Burzulī's lifetime, Muslims may have found themselves facing unfavorable choices in their interactions with European Christians, but necessarily upheld the principles of Islamic law and maintained the rule of law.

### *JIHĀD* IN TIMES OF WAR AND DIPLOMACY

God Almighty guarantees that the person who leaves home to fight in his (God's) way, not for any need but to fight in the Way of God, believing in him and trusting in his messenger, will either be admitted to the garden or brought back to his home from where he left, with what he gained in wages or share of booty.<sup>36</sup>

Al-Burzulī quotes this statement of the prophet Muhammad, among other *ḥadīths*, early in his chapter on *jihād*. The *ḥadīth* reconciles a (potential) tension between fighting with the right motives and the rewards of wages and booty. Although al-Burzulī does not privilege it in any way, the twinning of two planes of action and reward runs through much of his commentary on matters of war. Warfare was both a matter of state and a matter of religion. Al-Burzulī's chapter on *jihād* addresses a number of subjects directly related to warfare in the form of responses to legal questions and commentary. A view of the profession of warfare emerges

<sup>36</sup> Al-Burzulī, *Fatāwā*, 2: 11.

obliquely, beginning with discussion of the religious obligation (owed to God) to fight and its qualifications. In overview: the obligation owed to God is communal rather than incumbent on all individuals (but the individual who undertakes *jihād* is personally rewarded); the extension of the obligation to particular individuals depends on whether the fighting is near or far, on whether the individual is armed and has means to support himself and his family or not, on whether the individual's parents (Muslim or unbeliever) grant permission or not, whether he owes money or not, and whether he is healthy and capable or becomes ill or injured. The obligation is fulfilled under the leadership of the ruler, and the ruler has responsibilities to ensure its fulfilment and protect the lands bordering the enemy (*ribāt*). He must keep his soldiers safe, ensure proper payment and distribution of booty, and uphold the proper treatment of captives and the ransoming and redemption of captives—subjects addressed in the commentary.

Al-Burzulī's definition of *jihād* reflects some jurists' interest in distinguishing *jihād*—an obligation owed to God—from other forms of warfare:

I said: The linguistic meaning of *jihād* is exertion and toil. Its meaning in Islamic law, says our shaykh the imām (Ibn 'Arafa), is a Muslim fighting an unbeliever who does not have a treaty (*'ahd*) for the elevation of God's word, or, his (the Muslim's) presence for it and penetration of his (the unbeliever's) land for it. He inferred from this [definition that] fighting the *dhimmī* brigand (*muhārib*) [was also *jihād*], according to the recognized opinion that it was not in violation [of the status of protection granted by treaty].<sup>37</sup> From Ibn Hārūn: It is fighting the enemy to elevate the word of Islam and is not limited to the two other specifications, which are widely agreed to be *jihād*. From Ibn 'Abd al-Salām: It is exerting the self in opposition to the enemy, and not constrained as described above, but also not so general as to include fighting that is not for elevation [of the word of Islam]. I heard one of our shaykhs say: fighting the enemy and going [through the

<sup>37</sup> Al-Burzulī dedicates a chapter to "Opinions about Brigandage, Apostates, and Heretics." As he reports, "*jihād* against *muhāribūn* was considered *jihād*" among Mālikīs as a general statement of principle (6: 179). Ibn 'Arafa expressed another way of determining that fighting against *dhimmī* brigands could be considered *jihād*: they have violated the terms of their protected status. Al-Burzulī discusses Ibn 'Arafa's position in a case in which a Christian was caught trafficking in Muslim children: contrary to the position of the other jurists, he argued that the *dhimmī* *muhārib* loses his status as a protected person for violating the treaty of protection and thus he becomes a captive subject to the ruler's discretion. The alternative view was to treat him as a brigand and punish him with death and crucifixion (Al-Burzulī, *Fatāwā*, 6: 184).

frontier] to him (*al-idrāb ilayhi*) so that the word of God is the highest. This is close to what our shaykh the imām said, because going to the enemy comprises both matters [he mentioned].<sup>38</sup>

Warfare in fourteenth-century North Africa included fighting in violation of truces, conflicts over matters of trade, piracy, lending support to allies and accepting their support (Muslim and Christian), enduring attacks by greater forces, employment of Christian militias under Christian commanders, as well as fighting against Muslims—was this warfare in the proper spirit and purpose to satisfy the communal obligation of *jihād* and garner the personal reward of the participants? Jurists worked to ensure that practices of warfare conformed to the principles of Islamic law in the elaboration of legal discourse, in responses to legal consultation and questions, and in decision making. In doing so, they defined and upheld legal principles grounded in a long tradition of *jihād*, and accommodated circumstances.<sup>39</sup> Al-Burzulī's citation of and commentary on one of Ibn al-Ḥājj's opinions in the *Nawāzil* convey a sense of the way jurists balanced the two planes of interest: this world and the next. He reports from the *Nawāzil*: the volunteer fighter whose name is not on the roster and does not take a salary has more merit (*afdāl*) than the soldier who is on the roster, if he sought out the commander by choice, without requiring anything. On the other hand, the *jundī* (soldier) has more merit if his salary is legal, he fights for God, and dies seeking God's will. Al-Burzulī finds that Ibn al-Ḥājj's statement about the greater merit of paid soldiers over volunteers conforms to another opinion expressed in the *Mudawwana* that evokes a more mundane meaning of *afdāl* as "better" or "preferable": "The salaried fighters are better than the volunteers when they take fright."<sup>40</sup> Al-Burzulī tests the proposition with his teacher, Ibn 'Arafa, who observes: "For me [Ibn 'Arafa] this is like the seeker of knowledge and his

<sup>38</sup> Al-Burzulī, *Fatāwā*, 2: 8. Abū 'Abd Allāh ibn Hārūn (d. 1349) and Ibn 'Abd al-Salām (d. 1308) were Ibn 'Arafa's teachers; see Ghrab, *Ibn 'Arafa* 1: 234–41 and 1: 248–51.

<sup>39</sup> Fancy explains that Mālikī jurists accommodated exchanges of militias between Aragonese kings and North African Muslim rulers in their approval of treaties specifying that Muslims would only be used to fight against Christians. He observes, "When examining the Islamic legal traditions concerning the [Muslim] residence in Christian territories or the performance of *jihād*, one cannot speak simply and clearly of licit and illicit actions but rather competing norms and sensibilities." Fancy, *Mercenary Mediterranean*, 128. Al-Burzulī does not address the subject of Christian mercenaries in the chapter on *jihād*.

<sup>40</sup> Al-Burzulī, *Fatāwā*, 2: 16.

teacher. For the teacher, the students who receive stipends [because they are good students] are preferable over those who do not, except for the student who works hard and pushes himself as hard as the scholarship students. He is preferable (and has more merit) because he is sincere before God.”<sup>41</sup> Perhaps, Ibn ‘Arafa implies, an exceptional volunteer might be better and have more merit than the other soldiers, although, generally speaking, those who are paid are more reliably good. Al-Burzulī closes the matter with an acknowledgement that a paid soldier is essentially obligated to fight, but suggests that he nonetheless fulfills the religious obligation of *jihād* (and attains personal reward) by the fact that he performs his duty: “I take from him (Ibn al-Ḥājj) also: that if someone performs an act of worship under compulsion, like prayer or one of the other acts, and the one who compels him is his father or a shaykh or a judge, then he is rewarded for this—but God knows best.”<sup>42</sup>

Although al-Burzulī entertains questions about the meaning of *jihād*, his chapter on the subject does not pursue a particular agenda; he recognizes the utility of paid soldiers and other aspects of military deployment and compensation and affirms the “elevation of God’s word.” The practice and meaning of warfare and *jihād* inform each other.

## CONCLUSION

Al-Burzulī’s *Fatāwā* as a commentary on *fatwās* participates in a process of assimilation of legal arguments that involves comparison and evaluation in terms of legal evidence and juridical debate, as well as historical contextualization and retrospective analysis. Al-Burzulī’s pedagogical approach might be seen as a form of legal methodology, one that departs in places from the methods of some of the jurists and opinions he cites, even as he recognizes their authority.<sup>43</sup> The backward-looking aspect of the process legitimates preceding legal positions (and political actions such as the destruction of Ascalon’s fortifications) by making them relevant, as the jurist adapts them to different and varied circumstances. The way al-Burzulī, for example, links legal opinions about al-Maṣṣiṣa, Ascalon and Jerusalem, Christians relocated from Granada to North Africa, and

<sup>41</sup> Al-Burzulī, *Fatāwā*, 2: 16.

<sup>42</sup> Al-Burzulī, *Fatāwā*, 2: 16.

<sup>43</sup> Al-Burzulī presents only excerpts of the *fatwās* he comments on, to the effect that he may distort aspects of their original intent. Hendrickson refers to this kind of manipulation as an aspect of “fiction in the *fatwās*” in “Prohibiting the Pilgrimage.”

European Christian *fondacos* demonstrates this backward-forward progression of legal thinking and legitimation. He shows how jurists could and did address and accommodate new circumstances and legal (and politically significant) challenges, including the construction of new churches and Christian buildings overtopping Muslim *madrasas*. In situations where, for example, an enemy (or ally) may have the advantage and a ruler must make difficult decisions, jurists may invoke the principle of “the two harms.” Invocation of “the two harms” in a given legal case responds to the constraints affecting individuals and their actions as it affirms the bounds of Islamic law.

“*Jihād* in the Age of the *Fondaco*,” as it appears in al-Burzulī’s *Fatāwā*, is most basically a discursive engagement with past and contemporary concepts, sources, and examples related to the subject. Al-Burzulī speaks in the *Fatāwā* as a scholar and interpreter, deferential to, and analytically critical of, a great array of juridical dicta and authoritative opinions. He also speaks as a historically-minded jurist active in Tunis, intermittently observing developments in the city, commenting on contemporary legal issues, and engaging with his former teachers, occasionally questioning their positions. The narrative quality of his work exemplifies his understanding of the relevance of his scholarship. This essay demonstrates how a specific jurist’s immersion in a legal subject, such as *jihād*, is not only scholastic, but also related to his immediate environment. The perspective he provides comes from his training and purpose but it is not out of time or removed from personal experience. Al-Burzulī’s text shows the work of a jurist locating the moment and reviewing the past in the encompassing and regenerating domain of Islamic law.

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# The Significance of *Morisco* Feuding in the Kingdom of Valencia

*Mark D. Meyerson*

On trial in 1589 before the Valencian tribunal of the Spanish Inquisition for alleged Islamic observances, Joseph Bolala, a *morisco* from the village of El Real de Gandia, named several *morisco* enemies whose testimonies he hoped the inquisitors would disqualify. Among them was Luis Najaret, a long-time enemy who, along with his father, bore “great hatred” for Joseph and his father Francisco. Najaret had had “many differences” with them and had fought with Francisco. He threatened Joseph many times, “swearing to God that he had to destroy this defendant [Joseph] and his father and their whole generation, and that he would not stop until he finished them off.”<sup>1</sup> Such expressions of bitter animosity by members of

<sup>1</sup> Archivo Histórico Nacional (AHN): Inquisición (Inq.): Legajo (Leg.) 549, caja (c.) 1, no. 12: unnumbered folio (u.f.): “Luis Najaret y su padre...es enemigo deste proponente y

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feuding families were not unusual among the kingdom of Valencia's *moriscos*; nor was the practice of Islam. Indeed, other than the *moriscos* of the former sultanate of Granada, whose conquest had been much more recent, Valencian *moriscos* were regarded by royal and ecclesiastical authorities as being the most tenacious adherents of Islam. Since the coerced mass conversions of the Muslims of the kingdom in 1525, the Church had done little to shake their devotion to their ancestral faith. On the face of it, the *moriscos'* feuding had nothing to do with their religious loyalties, for there was not a necessary connection between the Islamic faith and violence, least of all among believers who were supposed to be united in their submission to God. Nevertheless, as I hope to show, the persistence of feuding between *morisco* families in the kingdom's villages and towns was crucial for the *moriscos'* maintenance of a Muslim identity. The intense contests for honor and status within *morisco* communities, which were performed for the benefit of a *morisco* audience, had the effect of separating them from Old Christian society, and perpetuated a distinctive social and cultural world in which violent displays of agnatic solidarity were as fundamental to a family's prestige as its Islamic piety.

The Christian authorities sensed the connection between the *moriscos'* violence and their Muslim identity. Prior to ordering the disarming of the kingdom's *moriscos* in 1563, Philip II (r. 1556–1598) asserted that “their being armed has been the cause of their still not having become Christian, because with the arms that they have they are so daring and so dissolute in their sect, and they live in it so shamelessly as if they have never been baptized.”<sup>2</sup> However, neither Philip nor his son Philip III (r. 1598–1621), who decreed the expulsion of the *moriscos* in 1609, nor their counselors paid much attention to the fact that *moriscos* for the most part used their weapons against members of their own ethnic group. Rather, they feared that armed *moriscos* would join the ranks of the *morisco* bandits who plagued the kingdom's roads or, worse still, collectively rebel against the Catholic monarchy in conjunction with an invasion of Spain's Muslim

le tiene mucho odio...por ser enemigo del padre deste muy antigo y aber tenido con el y con este proponente muchas diferencias; haver reñido el padre deste proponente con el. Y por ella el dicho Najaret le a amenazado muchas vezes diziendoque jurava a dios que avia de destruir a este proponente y al padre deste y a toda su generacion y que no pararia hasta acaballos.”

<sup>2</sup> Cited in Rafael Benítez Sánchez-Blanco, *Heroicas decisiones: La Monarquía Católica y los moriscos valencianos* (Valencia: Institució Alfons el Magnànim, 2001), 178.

enemies.<sup>3</sup> The archbishop of Valencia, Juan de Ribera (r. 1569–1611), whose growing pessimism about ever truly converting the *moriscos* led him to advocate their expulsion, came closer than Philip II to recognizing that much *morisco* violence was intra-communal, but he perceived it as a danger to Old Christians: “Every day they grow more daring in...declaring themselves *moros* [Muslims]. And...every day there are crimes and murders, and the Old Christians who live near their areas do not dare to leave their towns at night.”<sup>4</sup> He was convinced that the *moriscos* were waiting for the right time to rise in armed insurrection. In finally arguing for the Valencian *moriscos*’ expulsion, members of the Council of State emphasized the security threat the *moriscos* supposedly presented as well as their obstinate belief in and practice of Islamic heresies.<sup>5</sup> The poorly understood phenomenon of *morisco* feuding lay vaguely within this complex of political and religious concerns. Feuding, I will suggest, contributed to the unsettling sharp increase in *morisco* banditry in the later sixteenth century while it strengthened the *moriscos*’ sense of integrity as Muslims and their identification with the wider Muslim world.

For Valencian *moriscos*, intra-communal feuding was integral to the “Muslim” life they and their *mudéjar* ancestors had known since the Christian conquest of the kingdom in the thirteenth century. Valencian Christians also had continually engaged in violent struggles for social prominence and power within their own communities. Yet the contests for prestige among Christians had always excluded non-Christians, who, because of their “infidelity,” could not win honor in the eyes of Christians. Christian commoners, conversely, had never been overly concerned about their reputation among *mudéjares* (or Jews). The coerced conversion of the *mudéjares* did not bring an end to the coexistence of these parallel agonistic societies, since the distinctive family structures and behavioral norms that had made the feud central to the organization of *mudéjar* society remained vital among the *moriscos*. The cultural practices that Valencian

<sup>3</sup> On these concerns, see Andrew C. Hess, “The Moriscos: An Ottoman Fifth-Column in Sixteenth-Century Spain,” *American Historical Review* 74 (1969), 1–25; Joan Reglà, “La cuestión morisca y la coyuntura internacional en tiempos de Felipe II,” in *Estudios sobre los moriscos* (Barcelona: Ariel, 1974), 193–218; and Sebastià García Martínez, *Bandoleros, corsaris i moriscos* (Valencia: Eliseu Climent, 1980).

<sup>4</sup> Cited in Benjamin Ehlers, *Between Christians and Moriscos: Juan de Ribera and Religious Reform in Valencia, 1568–1614* (Baltimore: Johns Hopkins University Press, 2006), 137.

<sup>5</sup> Benítez Sánchez-Blanco, *Heroicas decisiones*, 352–420; Ehlers, *Between Christians and Moriscos*, 126–50.

Muslims and Christians had perpetuated at least partly for purposes of intra-communal competition with social peers cannot be neatly disentangled from their respective religious identities. But for the *mudéjares*, a conquered people surviving under Christian rule, as for their *morisco* descendants, unwilling converts to Christianity, the social and psychological underpinnings of feuding were more tightly intertwined with their identification with Islam because the sentiments of loyalty and responsibility that bound them to their agnatic clan implicitly linked them to the kingdom's pre-conquest Muslim past while strengthening their resistance to Christian government and the Catholic Church.

The fundamental unit of social organization among the *mudéjares* was the patrilineal kinship group, united through sentiments of solidarity among agnates (*‘asabīya*). Family solidarity was enhanced ideally, but only sometimes in practice, through cousin marriage (normally of the son to the daughter of his paternal uncle). Punctilious in their concern to defend their family's reputation, *mudéjar* males evinced a readiness to avenge affronts to themselves or their relatives, especially any that questioned the chasteness of their women. *Mudéjar* society cohered as much through its members' common involvement in violent contests for honor and status as it did through their common adherence to Islam and sense of belonging to the international Muslim community (*umma*). While the residence of most *mudéjares* in the rural villages of Christian lords contributed to the insularity of their agonistic social world, *mudéjares* nonetheless consistently labored, traded, and socialized with Christians. They also adapted to and learned to make use of the institutions of a Christian government, sometimes to sue and injure rival coreligionists. The fragmentary records of *mudéjar* feuding are the product of their resort to or prosecution by royal and seigneurial courts.<sup>6</sup> These same records show that Christians were more than aware of the *mudéjares'* possession of arms and their ability to use them. Christians thus became uneasy whenever foreign Muslim armies, raiders, or corsairs threatened or attacked. They perceived violent *mudéjares* as their natural collaborators. The identity of most victims of

<sup>6</sup>Mark D. Meyerson, *The Muslims of Valencia in the Age of Fernando and Isabel: Between Coexistence and Crusade* (Berkeley and Los Angeles: University of California Press, 1991), 225–69; idem, “Narratives of Muslim Violence in Christian Courts in the Late Medieval Kingdom of Valencia,” in *Convivencia and Medieval Spain: Essays in Honor of Thomas F. Glick*, ed. Mark T. Abate (Cham, Switzerland: Palgrave Macmillan, 2019), 277–96; and Ferran Garcia-Oliver, *La vall de les sis mesquites: El treball i la vida a la Vall d'igna medieval* (Valencia: Universitat de València, 2003), 121–91.

*mudéjar* violence—other *mudéjares*—was forgotten in collective Christian anxiety and hysteria.<sup>7</sup>

Records from the courts of the Royal Audience and governor as well as Inquisition records provide evidence of the persistence of feuding violence within the *morisco* community. One example of such sanguinary conflict emerges from an investigation into the criminal past of Pere Moni, a *morisco* from the village of Betxí, which the criminal justice of Valencia initiated and the assessors of the Royal Audience completed in February 1570. The denunciation of Moni by another *morisco*, Joan Melich from Mislata, had sparked the justice's interest in Moni and later moved the justice to arrest him. Melich recounted how he and another *morisco*, Sahet from Artana, had been patronizing a butcher shop in the city when Moni appeared. The moment Moni entered the shop, Sahet's "face changed"; seeing Sahet, Moni quickly exited. In response to Melich's queries, Sahet revealed that Moni had murdered one of his kinsmen. Once Moni was in the justice's custody, he confessed that twelve years ago he had killed Çuleiman Arrova, from Artana, in a drunken brawl in Betxí, which started when Moni's friend Amet Jayel and Arrova "had words." Arrova's paternal cousin had then laid charges against Moni in the court of the lord of Betxí, don Sancho de Cardona, the admiral of Aragon. There the judge decided that Arrova, Sahet's kinsman, had started the fight. Moni therefore received Cardona's pardon on 8 May 1558, but he had to pay thirty-five pounds in compensation. The pardon, however, came months after, and had probably been facilitated by the arrangement on 12 February of a "peace and truce" in Betxí between Pere, Jordi, and Joan Moni, and their "friends, relatives, and supporters" on one side, and the "youth" Joan Inico and Pere Galapas, Arrova's paternal cousin and uncle, respectively, on the other. The parties swore to observe the truce in the presence of the justices of Betxí and Artana. On the same day in Artana, moreover, Arrova's cousin, uncle, and aunt formally pardoned Moni, "absent as if he were here." It is difficult to avoid the suspicion that the great power of Moni's lord, Cardona, brought about the cooperation of Artana's officials and the apparent submission of Arrova's relatives. Yet Sahet's reaction, twelve years later, to the appearance of Moni in the butcher shop and Moni's abrupt departure suggest that Arrova's kinsfolk still felt that they

<sup>7</sup> Maria Teresa Ferrer i Mallol, *La frontera amb l'islam en el segle XIV. Cristians i sarraïns al País Valencià* (Barcelona: Consell Superior d'Investigacions Científiques, 1988); Meyerson, *Muslims of Valencia*, 61–98.

owed Moni a debt in blood and that Moni feared they might pay him back. In any case, after the assessors of the Royal Audience received copies of the relevant documents from Betxí and Artana, they saw to Moni's release from the justice's jail.<sup>8</sup>

In February 1561, don Jeroni de Vilarrassa, lord of Segart, appeared in the governor's court to denounce nineteen *moriscos* from various villages—Bétera, Nàquera, Chiva, Marines, and Segart—for having come to Segart one night in January to kill or gravely wound one of his *morisco* vassals, Pedro Cust. According to Vilarrassa's accusations, villagers fortunately discovered the assassins, who were armed to the teeth and waiting to murder Cust in the early morning. Cust's enemies fled into the night, resisting the local justice as he gave chase. A few of them, including Cust's co-villager Johan Sambarot, later tried to ambush him again; they also failed. The rest of the extant case file contains only the judicial confessions of Miquel Sambarot, a *morisco* from Bétera, and his paternal uncle Johan regarding the second alleged attempt on Cust's life. The Sambarots both insisted that they had been alone and that they had carried swords, and Johan also a shield, only because of their fear of other, older enemies. They had come to speak with Cust, who had "dishonored" Miquel's sister, and to determine whether he "wanted to take her for his wife." If Cust did not, the Sambarots maintained, they had intended to go to the court of the lord of Segart to "demand justice." The conversation with Cust, however, had never taken place, for when Cust saw them, he ran and raised the alarm. The Sambarots fled back to Bétera.<sup>9</sup>

Unfortunately, there is no way to verify the Sambarots' story, which strains credulity. The fact that they were armed with swords suggests that they wanted to do more than talk to Cust or sue him in court were he not

<sup>8</sup> Archivo del Reino de Valencia (ARV): Real Audiencia (RA): Procesos Criminales (PC), 2ª parte, no. 245 (6 February 1570). The past relationship between Melich and Moni is unclear. Melich's testimony (fol. 1v): "entra lo dit Moni a hon aquells estaven y dit Sahet, veu ell testimoni, ques demuda y ell testimoni decontinent veu que lo dit Moni sen ana...ell testimoni demana al dit Sahet que perque se era alterat y demudat de cara y lo dit Sahet li respongue que se hera demudat perque lo dit Moni havia mort a hun parent de dit Sahet." The precise relationship of Jordi and Joan Moni of Betxí to Pere is not stated in the "peace and truce" of February 1558 (fol. 11r-v). It seems that the relatives of Çuleiman Arrova were outnumbered, which may be another reason why they agreed to pardon Pere Moni at that time. On the institution of the "peace and truce," see R. Ferrero Micó, "Pau e Treua en Valencia," in *Estudios dedicados a Juan Peset Aleixandre*, 3 vols. (Valencia: Universitat de València, 1982), 2: 1–15.

<sup>9</sup> ARV: Gobernación (G): PC, c. 4431, expediente (exp.) 695 (12 February 1561).

amenable to a “shotgun wedding.” Their initial attempt in the company of many allies indicates that they had the slaughter of Cust in mind. Bloody ambushes were a not uncommon manifestation of *morisco* feuding behavior.<sup>10</sup> On the other hand, the more highly developed regimes of royal and seigneurial justice in sixteenth-century Spain did encourage *moriscos*, as well as Old Christians, to resolve their disputes in court, perhaps even when the highly sensitive matter of a kinswoman’s honor was involved.<sup>11</sup> Nor is it unlikely that the Sambarots, who evidently had many friends, also had many enemies against whom they needed to be constantly armed. But it was the Sambarots’ allies who worried Vilarrassa, Segart’s lord. Since most of them resided in seigneurial villages outside of his own domains, he feared that the murder of Cust, who had his own relatives and friends, might erupt into a destructive, widespread feud involving factions composed of the *morisco* vassals of several lords.<sup>12</sup> For this reason, Vilarrassa, even though he exercised full civil and criminal jurisdiction on his own lands, brought the case of the attempted murder of Cust before the royal governor’s court.

The Old Christian judges in the secular courts handling the cases of the *moriscos* Moni and Cust and the violent crimes allegedly committed by or against them were not interested in their religious observances, though they would not have been surprised to learn that all the *moriscos* involved in these cases were practicing Islam. The inquisitors, in contrast, were primarily concerned with the *moriscos*’ religious loyalties, even as their

<sup>10</sup>For example, ARV: RA: PC, 2<sup>a</sup> parte, no. 374 (25 February 1581), which concerns the nighttime ambush and murder of Sebastià Cortobi, *morisco* of Benifairo de Valldigna, by brothers from the same village, Miquel and Bertomeu Jamilla, and possibly their friend Bertomeu Banzarquo. Banzarquo pleaded ignorance but the Jamillas absconded. The judge condemned them to death *in absentia*. The victim’s father Cosme had also initially denounced the Jamillas’ father, Miquel Sr., which suggests a feud between the two families. Sebastià’s friend, Miquel Atap, who was in his company at the time of the attack, had no doubt about the identity of the assailants.

<sup>11</sup>AHN: Inq.: Leg. 551, c. 2, no. 21, u.f.: the defendant Pedro Ganim, a *morisco* from Novella, a hamlet near Xàtiva, maintains that Juan Catalan and his son Luis are his enemies “por quanto han tenido pleytos de importancia dichos Catalanes con este...por ocasion de una hija del dicho Juan Catalan.” Catalan was a very jealous sort. According to another *morisco* defendant from Novella, Francisco Mateo Hilel, Catalan also bore him ill will because of his interactions with Catalan’s wife (AHN: Inq.: Leg. 552, c. 1, no. 6, u.f.).

<sup>12</sup>The bloody feud that raged between the Badahuy and Polopi families and their respective allies in the villages of Almacita in the valley of Villalonga and Beniopa near Gandia was one such feud (ARV: RA: PC, 2<sup>a</sup> parte, nos. 149 [7 December 1563] and 190 [16 December 1564]). I am not dealing with it in this essay because of its complexity.



investigations uncovered incidental details about the daily lives and conflicts of the accused and the many who knew them. Between 23 February and 31 August 1609—little more than three weeks before royal officials proclaimed the expulsion of all Valencian *moriscos*—the inquisitors tried Francisco Huçeyt, a *morisco* farmer from the village of Yátova in the county of Buñol. In the course of the trial they learned of the enmity between the defendant and the extended family of Francisco Çohot, the principal witness against Huçeyt and many of his *morisco* neighbors. Çohot had himself spent six months in an inquisitorial jail cell (“carcel de la penitencia”) for his Islamic practices, managing to escape with such a light sentence through disqualifying some of the damning testimonies of his own enemies. He was thus ready to cooperate with the Inquisition. In October 1608, he testified how a *faqīh* named Perotet from Petrel had “read and taught [about] the sect of Mahoma [Muhammad]” in the house of Jeronim Caçim in Yátova, and how local leaders had urged “the whole village” to fast during Ramadan the previous January “because they are Moors and observe the sect of Mahoma.” Huçeyt and the others whom Çohot specifically named had been performing “all the ceremonies of Mahoma with as much freedom as if they were in Algiers.”<sup>13</sup>

Çohot also alleged that Huçeyt had two wives. One, Maria (or Angela) Abez, he had married “a la cristiana”; the other, Maria Çidra, he had married “a la morisca,” which entailed promising her twenty-five pounds “en almahar” (Arabic *mahr*), that is, as her dower or bridewealth. Çohot even named the deceased *morisco* scribe who had drawn up the marriage documents “a la morisca.” Yet when the inquisitors asked Huçeyt about his lineage, he admitted to having only one wife, Angela Abez, to whom he had been married for forty years. Even so, when listing his children and their spouses, Huçeyt revealed that his son Jeronim was married to a cousin, the daughter of his sister, while his daughter Maria had wed another member of the Huçeyt clan. Although it is impossible to elucidate the precise kinship ties of these couples on the basis of the trial record, the

<sup>13</sup>AHN: Inq.: Leg. 551, c. 3, no. 37: fol. 2r–v, for Francisco Çohot’s testimony, and fol. 29v, regarding his prosecution by the Inquisition. Çohot’s testimony was also the main evidence used in the prosecution of two other *moriscos* of Yátova, Jeronim Caçim (AHN: Inq.: Leg. 549, c. 2, no. 22) and Gaspar Humei (AHN: Inq.: Leg. 551, c. 3, no. 36). On *mudéjar* and *morisco faqīhs*, see Kathryn A. Miller, *Guardians of Islam: Religious Authority and Muslim Communities of Late Medieval Spain* (New York: Columbia University Press, 2008); and Tulio Halperin Donghi, *Un conflicto nacional: Moriscos y cristianos viejos en Valencia* (Valencia: Institución Alfonso el Magnánimo, 1980), 105–9.

utility of such cousin marriages for fostering the solidarity of the members of the extended Huçeyt lineage is evident.<sup>14</sup>

The Huçeyts needed to be united when facing the hostility of the cohesive Çohots. Through the defense attorney Doctor Bonilla, Francisco Huçeyt explained to the inquisitors why “Geronimo [Jeronim] Çohot, his brother Francisco Çohot and their sons and daughters and the wives of both brothers, and all their relatives...by blood as well as by affinity [marriage], and all their friends and supporters wished [him] ill.” Without mentioning the origin of the animosity between the families, which perhaps would have cast him and his kin in a poor light, Huçeyt recounted that around seven years ago (it was really nine) there had been a brawl during which he struck Jeronim Çohot on the head with a stone; and “the rest of the relatives came to the brawl.” The two sides then agreed to a “peace and truce,” which lasted for a year until one night in April 1600 when Jeronim Çohot’s son Domingo ambushed Huçeyt, wounding him on the nose. On account of this assault in violation of the truce, the seigneurial justice jailed Domingo in the lord’s castle in Buñol and then condemned him to row in the royal galleys. Domingo’s brother, Jeronim Jr., responded with an effort to get Huçeyt in trouble with the seigneurial authorities, alleging that Huçeyt was carrying “prohibited arms.” Huçeyt effectively countered “with the proof that he did it in his defense” against the vengeful Çohots.<sup>15</sup>

Other documents inserted in Huçeyt’s case file show that Domingo escaped serving in the galleys when his nuclear family—he, his parents, and his brother Jeronim Jr.—agreed, on 28 April 1600, to pay sixty pounds to Huçeyt within eight months in compensation for the expenses he had incurred in his criminal suit against Domingo, not to mention for the

<sup>14</sup>AHN: Inq.: Leg. 551, c. 3, no. 37: fol. 3r–v, for Çohot’s allegations about Huçeyt’s marriages; and fol. 30r–v, where he insists on their veracity. On fol. 11r–v, Huçeyt lists his family members. His sister Catalina was married to a *morisco* with the surname of Naje (or Naxe) and his son Jeronim was married to their daughter. His daughter Maria was married to a *morisco* surnamed “Oçeyt” (Huçeyt). On Islamic marriage law in general, *The Islamic Marriage Contract: Case Studies in Islamic Family Law*, ed. Asifa Quraishi and Frank E. Vogel (Cambridge MA: Islamic Legal Studies Program, Harvard Law School, 2008), and Judith E. Tucker, *Women, Family, and Gender in Islamic Law* (Cambridge: Cambridge University Press, 2008), 38–65; and more specifically, Ana Labarta, “Contratos matrimoniales entre moriscos valencianos,” *Al-Qantara* 4 (1983): 57–87.

<sup>15</sup>AHN: Inq.: Leg. 551, c. 3, no. 37: fol. 20r–v.

dishonor he had suffered.<sup>16</sup> It seems, however, that the Çohots never compensated Huçeyt, since sometime in 1607 the count of Buñol, probably at the instance of Huçeyt, commanded the justice of Yátova to jail Jeronim Çohot Sr. in his castle and to confiscate some of the family's household goods as security for payment of the debt.<sup>17</sup> In late June 1608, after Jeronim had languished many months in the lord's jail, Huçeyt assented to his release and then, in Valencia, formally reached an unspecified agreement with Jeronim, his wife, and his son Domingo. It must have entailed some payment to Huçeyt by the Çohots.<sup>18</sup> This display of "magnanimity" by Huçeyt was of course humiliating for the Çohots, as Jeronim Sr.'s time in jail had been. It is hardly surprising, then, that Huçeyt insisted in his defense statement (through Doctor Bonilla) that the Çohots still bore him ill will. Jeronim's wife and son Domingo, the statement read, had suborned other *moriscos* to testify to the Inquisition against him, while Jeronim Jr. had threatened him, "saying that he had to finish with him." One Alatar, a brother-in-law of the Çohots, also had it out for Huçeyt "for being an opponent of the Çohots," as did Caet, the brother of a servant of Francisco Çohot, "for being a friend of those who are opponents of this one [Huçeyt]."<sup>19</sup> Even if some of Huçeyt's claims about the Çohots' machinations against him were tendentious, nobody doubted the enmity of Jeronim and Francisco Çohot and their kith and kin for Huçeyt. It was "fama publica" in Yátova and Buñol, as both the count of Buñol and Jeronim Sans, a priest who had served seven years in Yátova, testified.<sup>20</sup>

<sup>16</sup>AHN: Inq.: Leg. 551, c. 3, no. 37: fols. 5r–7r, is the copy of the notarized Latin document.

<sup>17</sup>This information comes from the trial record of Gaspar Humeý—AHN: Inq.: Leg. 551, c. 3, no. 36: fol. 16r–v—who at the time was the justice of Yátova responsible for these legal procedures against Jeronim Çohot. Humeý maintained that Çohot consequently became his enemy.

<sup>18</sup>AHN: Inq.: Leg. 551, c. 3, no. 37: fol. 9r is a copy of the letter, dated 28 June 1608, of Joan Liminyana, a lawyer for the count of Buñol, to Huçeyt: "Yo he concertado vuestro negocio de la manera que vos me dixistes estos dias passados y ansi va orden que le saquen de la carcel a Hierony Sohót, lo que ha mandado el Señor Conde de Buñol, y ansi juntamente con el dicho Sohót, su mujer y hijo Domingo Sohót os podreys venir a Valencia donde firmaran el auto de la manera que vos y yo tenemos concertado."

<sup>19</sup>AHN: Inq.: Leg. 551, c.3, no. 37: fols. 20v–21v.

<sup>20</sup>AHN: Inq.: Leg. 551, c.3, no. 37: fol. 24r, for the testimony of the count, don Gaspar Mercader y de Carros; and fol. 25r, for the testimony of Sans, who also mentioned his failed efforts to make peace between the families: "este [testigo] fue medianero entre ellos per ver si les podía concertar y jamas tovo orden, antes quedaron siempre rompídos."

Such cases, and the many others like them scattered in the records of various tribunals, should not lead to the conclusion that the Valencian *moriscos* were frozen in time, merely fossilized *mudéjares*. They were not. Most significantly, by 1526 they were all baptized Catholics, whether they liked it or not. None did, as the young Holy Roman Emperor Charles V (alias King Carlos I of Spain) and his counselors recognized. The emperor therefore reached an agreement in 1526 with *morisco* representatives whereby in exchange for the *moriscos'* payment of 50,000 ducats to the Crown, the *moriscos* would be allowed to continue using the Arabic language and traditional dress for ten years, and their preexisting consanguineous marriages would not be annulled. For a period of forty years, moreover, the Inquisition would not prosecute them for minor Islamic observances or customs. The inquisitors, however, did not respect the terms of the agreement and tried a number of *moriscos*. Nevertheless, through persistent agitation in the kingdom's Cortes and resistance on the ground, the *moriscos'* noble lords managed to prevent most inquisitorial action against their tenants until the late 1560s.<sup>21</sup>

The coerced conversion of the *moriscos* had strengthened the symbiosis between Christian lords and their formerly Muslim tenants, though this was partly because the latter had been left with little choice but to depend on their lords. Royal orders had, in effect, immobilized the *moriscos*. The stipulations in Charles' decree of 13 September 1525 requiring the baptism or exile of the *mudéjares* had pacified the Valencian nobility by making the emigration of their Muslim tenants nearly impossible. Legislation followed in 1527 (which was renewed in the 1540s) prohibiting *moriscos* from living too close to the sea, lest they communicate with North African corsairs and clandestinely emigrate, or from changing their place of residence and the lord to whom they were bound as vassals without their lord's permission. The *moriscos* thereby lost the freedom, which *mudéjares* had enjoyed, to take advantage of the demand for their labor by moving from the domains of one noble to another's—and changing their vassalage in the process—in the quest for better working conditions. Nevertheless, *moriscos* benefited from the willingness of their lords to turn a blind eye to their Islamic practices and to frustrate the efforts of Catholic priests to evangelize them and of inquisitors to investigate and prosecute them. In

<sup>21</sup> Benítez Sánchez-Blanco, *Heroicas decisiones*, 94–139; Stephen Haliczzer, *Inquisition and Society in the Kingdom of Valencia 1478–1834* (Berkeley and Los Angeles: University of California Press, 1990), 246–48, 159–64.

return for their lord's protection, *morisco* peasants in many seigneuries rendered higher rents than their Old Christian counterparts.<sup>22</sup>

Yet some lords acted on their *morisco* vassals' behalf out of more than economic interest. They openly questioned the legitimacy of the forced conversions and felt that their tenants should be allowed to return to their Muslim way of life. Don Sancho de Cardona, for instance, permitted *moriscos* in some of his villages to maintain mosques and licensed others to travel to North Africa, though for a fee. The baron of Carlet, don Francisco de Castellví, allowed his *morisco* vassals to marry according to Islamic law, again for a fee. Between 1569 and 1575 the Inquisition prosecuted Cardona, Castellví, and a handful of other lords for abetting the Islamic heresies of their tenants, penalizing them with short prison terms and heavy fines. After this, inquisitorial prosecution of *moriscos* intensified, peaking in the 1585–1595 decade. The Inquisition's campaign in the kingdom of Valencia was consistent with the more determined effort of Philip II to extirpate heresy throughout his realms.<sup>23</sup>

The closer, interdependent relationship between lords and their *morisco* vassals also manifested itself in more mundane affairs, affecting *morisco* politics and feuding in seigneurial domains, where, according to the fifteenth-century Valencian jurist Pere Belluga, nobles were “like princes in their territory.” In the sixteenth century the institutions of seigneurial government and justice grew stronger while restrictions on the mobility of the *moriscos* enhanced their identification with their seigneurs.<sup>24</sup> As *moriscos* from Tales, a village under the lordship of the Order of Montesa, put it in 1567, when aggressively objecting to the efforts of the *sequier* (irrigation official) from the town of Onda to penalize them, “we are [the men] of the Master, and he defends us very well.”<sup>25</sup> Confident in the power of

<sup>22</sup>Rafael Benítez Sánchez-Blanco and Juan Francisco Pardo Molero, “Obstacles à l'intégration des morisques du royaume de Valence: discrimination légale et résistance morisque,” *Cahiers de la Méditerranée* 79 (2009): 171–94, at 173–77; and Meyerson, *Muslims of Valencia*, 18–33, 114–25 for *mudéjar* mobility.

<sup>23</sup>William Monter, *Frontiers of Heresy: The Spanish Inquisition from the Basque Lands to Sicily* (Cambridge: Cambridge University Press, 1990), 130–33; Ehlers, *Between Christians and Moriscos*, 90–99; Benítez Sánchez-Blanco, *Heroicas decisiones*, 161–95.

<sup>24</sup>Eugenio Ciscar Pallarés, *La justicia del abad: Justicia señorial y sociedad en el reino de Valencia (Valldigna, siglos XVI, XVII y XVIII)* (Valencia: Institución Alfonso el Magnánimo, 2009), 21–61, for an overview of institutional developments in the kingdom, and 31, citing Belluga.

<sup>25</sup>ARV: G: PC, c. 4435, exp. 806 (20 June 1567): u.f.: “de Mestre som yns deffensava molt be.”

their lords, *moriscos* did not hesitate to turn the mechanisms of seigneurial justice against established local enemies; or they made new enemies by filing suit against them in the lord's court. In 1593, in the town of Simat, which was under the lordship of the Cistercian abbot of Valldigna, witnesses heard a *morisca* warn another *morisca* who had insulted her, "if I go to the abbot, I'll have you banished."<sup>26</sup> Jaime Cornejo, from the village of Gaibiel, told the inquisitors in 1590 that Pedro Horjon and his elder son had "fought many times" with him because he would not allow the son to marry his sister, and that consequently the Horjons had "tried to get the lord of Gaibiel to persecute him [by] accusing him of things he had not done."<sup>27</sup> Jeronim Caçim of Yátova earned the enmity of another *morisco*, Francisco Millaqui, by denouncing him to the local justice for stealing his goat, which resulted in Millaqui paying a fine to the count of Buñol. Caçim had also managed to cross the Çohots in this way: at his instance, seigneurial officials had apprehended Domingo Çohot in Utiel with Caçim's stolen donkey.<sup>28</sup>

The service of *moriscos* in seigneurial government as *jurats* (aldermen) of the *morisco* community (still often referred to as the *aljama*, as in the *mudéjar* past) or as local justices was an even greater source of resentment and antagonism among *morisco* families. Holding office translated into influence with the lord and greater power in the *morisco* community. This was much like the "soft power" which, in another essay in this volume, Brian Catlos observes *mudéjar* officials wielding in the royal *aljama* of Lleida in the fourteenth century.<sup>29</sup> It afforded officials opportunities to harass their rivals but also moved the latter to ally and conspire against them. Francisco Mateo Hilel explained to the inquisitors in 1594 that as "justice of the village of Novella...he has arrested many people and has executed many orders that the lord of the village gave him, hence there are many people who have ill will for him." Among the nine ill-wishers of this type Hilel named were the Jamuz—Miguel, his nephew Jaime, and

<sup>26</sup> Cited in Císcar Pallarés, *Justicia del abad*, 132, note 2: "si vaig al abat yot fare bandejar."

<sup>27</sup> AHN: Inq.: Leg. 550, c. 2, no. 14 (1590): u.f.: "que el dicho Horjon prosiguiendose odio, rancor y mala voluntad que el y el dicho su padre han tenido y tienen a este proponente muchas vezes procuraron con el señor de Gayviel de perseguirle y acusarle de cosas que este proponente no havia hecho para inquietarle y destruirle."

<sup>28</sup> AHN: Inq.: Leg. 549, c. 2, no. 22: fols. 18r–19r.

<sup>29</sup> Brian A. Catlos, "Sex, Lies and Alleged Rape: Scandal and Corruption in Fourteenth-Century *Mudéjar* Lleida" (above).

Perri—all of whom he had proceeded against for reason of theft.<sup>30</sup> During his term as a *jurat* in Yátova, Jeronim Caçim used his authority to jail the *morisco* Francisco Choya after the two came to blows over milling grain. Jeronim Çohot, Jr. threatened to stab Caçim because the latter, from his official position, had “proved” that Çohot lied in accusing one Chue Chuqueyque of stealing his donkeys. Another Çohot, Juan, brawled with Caçim because they had a difference of opinion over the amount of millet Caçim had collected from him in his capacity as the lord’s bailiff. “Peace” had to be made between them, though, according to Caçim, this did not stop Juan from falsely testifying to the inquisitors against him.<sup>31</sup>

Gaspar Humey, one of the *moriscos* of Yátova whom the inquisitors prosecuted in 1609 on the basis of Francisco Çohot’s testimony, had plenty of stories to tell about how he had alienated various members of the Çohot clan while acting as the local justice. It was Humey whom the count had tasked with jailing Jeronim Sr. in relation to his conflict with Francisco Huçeyt, “and for that, he [Jeronim] wished him and all of his house ill.” Jeronim’s nephew Luis, the son of Andreu Çohot, wanted revenge on Humey because he had arrested him and a relative surnamed Çaparron on suspicion of stealing beehives. The two were fined. Humey, however, had hesitated to jail Jeronim Jr. for raising a ruckus among the youths of the village after Jeronim “threatened him, saying that he should act cautiously since it would cost him if he did it.”<sup>32</sup> Whether Humey had abused his authority as seigneurial justice and gone out of his way to target the Çohots is difficult to know. Yet it is striking that the three *moriscos* of Yátova tried by the Inquisition in 1609 as a result of Francisco Çohot’s informing had all occupied positions in local government and had all taken official action against members of the Çohot clan. (While serving as the *aljama*’s tax collector, Huçeyt had confiscated and sold goods belonging to the widowed daughter of Jeronim Çohot, which had allegedly prompted

<sup>30</sup> AHN: Inq.: Leg. 552, c. 1, no. 6 (1594): u.f.: “ha sido justicia del lugar de Novella y por razon de dicho officio ha prendido muchas personas y ha executado muchas provisiones que el señor de lugar le mandava, de donde hay muchas personas que le tienen mala voluntad.”

<sup>31</sup> AHN: Inq.: Leg. 549, c. 2, no. 22: fols. 18r–21r (1609). I am only mentioning some of Caçim’s alleged enemies here. He listed twenty-three of them, including two Old Christians of Requena against whom he had taken official action.

<sup>32</sup> AHN: Inq.: Leg. 551, c. 3, no. 36: fols. 16r–18r (1609): “y por aquello, le quiere [Jeronim Sr] mal aquel y todos de su casa”; “le amenazo [Jeronim Jr.] diziendole que se fuesse poco a poco porque le costaria si lo hazia.” Again, I am mentioning only some of the alleged enemies the defendant identified.



her to threaten Huçeyt “that she would have him burn alive.”<sup>33</sup>) The Çohots were undoubtedly numerous and had many friends. They were probably not the petty, mean-spirited thieves the desperate defendants depicted in their statements in the inquisitorial court, but, unlike their antagonists, they seem not to have had positions in local government or the ear of the count.<sup>34</sup> One way of leveling the playing field and retaliating against their opponents was to inform the inquisitors about their Islamic beliefs and practices. However, when so many in the *morisco* community, if not the entire community in villages like Yátova, identified with Islam and lived as best they could as Muslims, employing testimony to the Inquisition as a weapon against their enemies was a dangerous game—for everyone. By piecing together the evidence from so many accusations and counter-accusations the inquisitors might ultimately ensnare all the families in the village in their web.<sup>35</sup>

The role of *moriscos* in seigneurial government thus contributed to factionalism in *morisco* communities. As *morisco* families contested local power, the lord’s government loomed largely in their political calculations, probably more than it had for their *mudéjar* ancestors, since they were tied more than the latter had been to their lord’s domains. Furthermore, as baptized Christians, the *moriscos* no longer had separate *sharʿa* courts and were more fully integrated into the Christian judicial system, seigneurial and royal. *Moriscos* increasingly pursued disputes with other *moriscos* within the framework of seigneurial government and through seigneurial courts. Laying charges against an enemy in Christian

<sup>33</sup> AHN: Inq.: Leg. 551, c. 3, no. 37: fol. 21v (1609): “por unas prendas que este le hizo vender, por lo que aquella debía de la dicha cole[c]ta, y asi amenaco a este, diciendo que ella le tenia de hazer quemar vivo.”

<sup>34</sup> The Çohots and their relatives the Çaparrons had probably fallen out of favor with the count of Buñol for having allegedly plotted rebellion along with *moriscos* from other villages in the region in 1570. Jeronim Çohot Sr., who would have been a young man at the time, was among the accused as was Pedro Çaparron, the *faqīh* of Yátova. See Jorge Antonio Catalá Sanz and Sergio Urzainqui Sánchez, *El bandolerismo morisco valenciano (1563–1609)* (Valencia: Universitat de València, 2016), 131–32. However, losing the favor of their seigneur for this reason may well have won them supporters among the *morisco* population.

<sup>35</sup> Recall that Francisco Çohot informed against other *moriscos* of his village after the inquisitors prosecuted him on the basis of some of his neighbors’ testimony—see above at note 13. Another example is the defendant Francisco Mateo Hilel who asserted that the *morisco* Juan Carpes “es enemigo deste suplicante [Hilel] porque dicho suplicante ha testificado contra el en este Santo Officio” (AHN: Inq.: Leg. 552, c. 1, no. 6).

courts had been a weapon in the arsenals of feuding *mudéjares*; it was one that feuding *moriscos* likely employed with greater frequency.<sup>36</sup>

Seigneurs also helped to reduce the amount of violence among their *morisco* tenants by sponsoring “peaces and truces” between antagonists, sometimes preventing a minor dispute from becoming a blood feud, other times inhibiting a feud’s rapid escalation. This was by no means a new role for Valencian nobles, but it was one that they and their officials performed more efficiently in the sixteenth century. For instance, in the late 1580s, after a *morisco* from Mislata, Joan Palao, wounded a *morisco* co-villager, Estevan Ença, during a fight with him and his father-in-law Pedro Maymon, the local justice threw both Palao and Maymon in jail until they cooled off. The justice then arranged a peace between them.<sup>37</sup> A case that came before the Royal Audience in 1565, that of Joan Rajolet, a *morisco* from the village of Sagra, shows how the intervention of government officials and Christian nobles familiar with *moriscos* could limit the amount of blood shed in *morisco* feuds. Rajolet had the misfortune of being the employer of a young *morisco* servant, Amet, when Amet killed the napping Anthoni Aguilar, the oldest son of a *morisco* family from Murla, in revenge for Aguilar’s murder of his brother. After Aguilar’s brothers retaliated by slaying Amet, they set their sights on Rajolet, deeming him ultimately responsible for his servant’s actions. Knowing that the Aguilars were hunting him, Rajolet resorted to carrying prohibited arms. Rajolet’s violation of the law gave the Aguilars an opportunity to take bloodless revenge: they denounced him to the justice. One of the Aguilars was overheard saying “that God had done them a great favor, that the justice had arrested the said Rajolet, alias Attar, because otherwise they could not leave off from trying to kill him.” According to the noble don Cristòfol de Fenollet,

<sup>36</sup> Using the terminology of Daniel Smail, one could say that the *moriscos* became greater “consumers of Christian justice”; see his *The Consumption of Justice: Emotions, Publicity, and Legal Culture in Marseille, 1264–1423* (Ithaca: Cornell University Press, 2003); for the *mudéjares*, Meyerson, *Muslims of Valencia*, 184–224; and idem, “Narratives of Muslim Violence.”

<sup>37</sup> AHN: Inq.: Leg. 553, c. 1, no. 17: (1588): u.f. The justice, Miquel Palao, was also a *morisco* and a relative of Joan. He had also established a “peace and truce” between Joan and the *moriscos* Joan Silim and Vicent Tagarin when they fought over the use of certain draught animals.

Rajolet had earlier “beseeched [him] many times to reconcile him and the said Aguilars since both the one and the others were his good friends.”<sup>38</sup>

Noble lords’ greater judicial authority over their *morisco* tenants involved penalizing them for a broad range of infractions, which was a source of seigneurial income. The three *moriscos* from Yátova prosecuted by the Inquisition in 1609 noted many cases in which their lord, the count of Buñol, tried and fined other villagers. Unlike the *mudéjares*, however, *moriscos* trying to escape monetary or corporal punishment could not easily move to the domains of another lord eager to acquire a new tenant. A few lords took advantage of their *morisco* tenants’ relative immobility and established especially oppressive judicial regimes. In 1597, the inflexible stance of the lord of Vilamarxant toward indebted *morisco* vassals and the harshness with which he punished them for various offences inspired their unsuccessful plot to assassinate him. The viscount of Chelva had already fallen victim in 1584 to “furious *morisco* vassals” who had escaped from the seigneurial jail.<sup>39</sup> Still, instead of *moriscos* turning their daggers or their guns on their lords, it was more usual for *moriscos* to use their weapons in the service of their lords against the latter’s noble enemies.<sup>40</sup>

The complicated, often interdependent relationship between *moriscos* and their noble lords in the kingdom of Valencia presented Philip II with great challenges. In the struggle against the *moriscos*’ heresies, the nobles, as has been seen, were less than helpful. In the sphere of domestic politics, feuds between powerful nobles supported by armed *morisco* vassals caused disorder. The same armed *moriscos* were also suspected as an Ottoman or Moroccan Sa’did fifth column and deemed a potential threat to the

<sup>38</sup> ARV: RA: PC, 2<sup>a</sup> parte, no. 202 (12 December 1565): u.f.: The witness Johan Casanova, merchant of Valencia, “ha hoyt dir a hu dels dits Aguilars...que deu los havia fet molt amerce que la justicia havia pres al dit Rajolet, alias Attar, perque ells de altra manera no podren dexar de procurar de matarlo.” Fenollet: “E lo dit Attar ha pregat moltes voltes a ell testimoni que se volgues posar en ben avenir a ell y als dits Aguilars per ço que los uns y los altres li eren molt amichs.” The servant Amet had murdered Anthoni Aguilar twelve years before Rajolet’s arrest for carrying illegal arms. Anthoni’s kinsmen clearly still felt burdened by the *morisco* public’s expectation that they would also eliminate Rajolet, the supposed author of Anthoni’s murder. A number of witnesses noted that there was much talk about the feud in the villages in the area, or, as Rafel Ferrer, a farmer in Ondara, put it: “it was *fama publica* throughout that land.”

<sup>39</sup> Catalá Sanz and Urzainqui Sánchez, *Bandolerismo*, 161–65, for Vilamarxant in 1597; and their “Perfiles básicos del bandolerismo morisco valenciano: del desarme a la expulsión (1563–1609),” *Revista de Historia Moderna* 27 (2009): 57–108, at 74, for Chelva.

<sup>40</sup> Catalá Sanz and Urzainqui Sánchez, *Bandolerismo*, 82–85.

kingdom's security. The nobility's control over most *morisco* communities provided little reassurance.

Furthermore, there was the grave problem of *morisco* banditry, which significantly increased during Philip's reign. Since most of the bandits' victims were Old Christians, Philip and his viceroys in Valencia understandably assumed that *morisco* bandits were motivated by religious animus and were therefore involved in the *moriscos'* rumored conspiracies with Spain's Muslim enemies. They also believed that *morisco* banditry would not have reached such alarming levels if nobles had not been consenting to their vassals' crimes. Religious antagonism, which clerical pressure and inquisitorial prosecution had heightened, certainly explains the brutality of some *morisco* bandits against Old Christians. Yet the principal reason for the high proportion of Old Christians among the bandits' targets was the fact that they happened to be most of the merchants and travelers on the kingdom's main roads, the foci of the bandits' operations. Highway robbery was the bandits' business and they in fact had almost no involvement in international Muslim conspiracies. Besides, *morisco* bandits also preyed on other *moriscos*, and the latter testified in court against them and even joined "posses" to capture them.<sup>41</sup> Banditry was not an expression of the *moriscos'* Islamic solidarity.

The monarchy, however, was not wrong in posing a connection between the nobility and *morisco* bandits, though this had much less to do with lords promoting or abetting the activities of their criminal vassals than with a more effective system of seigneurial justice which, in combination with the growing power of royal courts, transformed feuding vassals into bandits. However, the relationship between the two forms of violence, feuding and banditry, is not self-evident. It bears keeping in mind that *mudéjar* feuding had not generated a problem of *mudéjar* banditry, at least partly because feuding *mudéjares* who perpetrated homicide had often avoided seigneurial and private justice by taking refuge with and becoming the tenants of other lords. This stratagem, as has been noted, was much less possible for *moriscos*, not only because royal legislation restricted their mobility but also because royal judges, especially those manning the Royal Audience, were increasingly making their presence felt in seigneurial domains, even prosecuting the lords themselves. Philip II was more determined than his father Charles had been to punish Valencian noble malefactors: twenty-three received capital penalties and fourteen

<sup>41</sup> Catalá Sanz and Urzainqui Sánchez, *Bandolerismo*, 102, 106, 108–12, 131.

were executed. This was consistent with the high number of capital punishments inflicted in the kingdom in the sixteenth century.<sup>42</sup> During the reign of King Philip feuding *moriscos* had fewer places to run and hide. The notable increase in the number of *morisco* bandits from the late 1560s was not coincidental.

In a recent work of remarkably painstaking scholarship, Jorge Catalá Sanz and Sergio Urzainqui Sánchez have suggested that the upsurge of *morisco* banditry partly resulted from the pressure of a growing Valencian population on diminishing resources.<sup>43</sup> Resource scarcity would only have sparked or intensified feuds between *morisco* families, which were often rooted in economic competition, even though their protagonists usually spoke in terms of personal and family honor.<sup>44</sup> However their *morisco* tenants' feuds originated, seigneurs responded to acts of violence by establishing truces between the families of perpetrators and victims, or sometimes by banishing the perpetrators, at least until the vengeful kin of their victims could be persuaded to make peace. Some killers, however, immediately fled town and were condemned to death *in absentia*.<sup>45</sup> Many truces were broken, sometimes years later by patient avengers; the violators incurred heavy fines that were difficult to pay, or the death penalty. They too left home. These fugitives from justice—seigneurial, royal, or private—joined the ranks of bandit gangs.

Although the aforementioned historians pose a somewhat problematic distinction between *moriscos* who committed acts of violence in the course of feuds and *morisco* bandits, their study provides evidence of the former becoming bandits or simply being labelled as such by royal prosecutors. Miquel Alcar, for example, was expelled from the village of Finestrat for fighting with another *morisco* youth and “because of certain passions of some people who... wanted to harm him.” Royal officials later arrested Miquel for wandering about with prohibited arms and condemned him to the galleys as a bandit. Two members of a bandit gang of four had fled

<sup>42</sup> Císcar Pallarés, *Justicia del abad*, 34–36, 84–112; Jorge Antonio Catalá Sanz, “La nobleza valenciana en la época de Felipe II. Mecanismos de castigo y disciplina,” in *Felipe II y el Mediterráneo*, ed. Ernest Belenguier Cebrià, 2 vols. (Madrid: Sociedad Estatal para la Conmemoración de los Centenarios de Felipe II y Carlos V, 1999), 2: 77–97; Catalá Sanz and Pablo Pérez García, “La pena capital en la Valencia del Quinientos,” in *Conflictos y represiones en el Antiguo Régimen* (Valencia: Universitat de València, 2000), 21–112.

<sup>43</sup> Catalá Sanz and Urzainqui Sánchez, *Bandolerismo*, 175–76.

<sup>44</sup> Meyerson, *Muslims of Valencia*, 244–46.

<sup>45</sup> For example, the case discussed in note 10 above.

from their hometown of Chiva after dishonoring the women of other *morisco* families. The women's male relatives had left them little choice.<sup>46</sup> Pere Conde, a *morisco* immigrant from Aragon who had married a *morisca* widow in Castelló, clashed with his brother-in-law over irrigation, which led to their swearing to a formal "peace." Sometime later, however, Conde fought with the brother-in-law's son and stabbed him to death. Since he had "broken the peace," he became a highwayman. He was eventually executed for robbing a Franciscan friar and a smith.<sup>47</sup>

Most *morisco* bandits were hardly professionals. Of the 611 dealt with by royal courts between 1563 and 1609, not even one-tenth of them had a career that lasted more than two or three years. Nearly two-thirds of them were young men less than twenty-five years old,<sup>48</sup> which fits the profile of the sons, brothers, and cousins of patrilineal kinship groups constituting the front-line troops in family feuds. Some of these bandits hailed from Yátova, which was a major "cradle" of banditry because of its mountainous topography and proximity to Castile, whose borders they could cross to escape the Valencian authorities. In fact, families involved in the inquisitorial trials discussed above were connected in different ways with this outlaw world. Royal authorities publicly denounced Andreu Çohot and his nephew, surnamed Çaparron, for banditry in 1586; they apprehended Andreu nine years later and condemned him to the galleys.<sup>49</sup> Andreu's son Luis continued collaborating with his Çaparron relations in an only slightly more lawful manner: the count fined him and Gaspar Çaparron for rustling sheep, and him and Çaparron "el Berbiego," for stealing beehives.<sup>50</sup> Francisco Çaparron (or Çapaton), who had been sentenced to do time in the galleys in 1587 for "receiving" bandits, was back in Yátova by 1598, when he brawled with Jeronim Caçim over beehives and then made peace with him with the seigneur's encouragement.<sup>51</sup> He was also included in a list of character witnesses in 1609 by Francisco

<sup>46</sup> Catalá Sanz and Urzainqui Sánchez, *Bandolerismo*, 98–104, 118–20, and the RA records cited there. On these pages the authors discuss a number of cases in which *moriscos* labeled as bandits certainly were or may well have been previously involved in feuding violence. There is a fair amount of ambiguity.

<sup>47</sup> ARV: G: PC, c. 4429, exp. 616 (11 September 1555).

<sup>48</sup> Catalá Sanz and Urzainqui Sánchez, *Bandolerismo*, 124–26.

<sup>49</sup> Catalá Sanz and Urzainqui Sánchez, *Bandolerismo*, 54–55, and 199–232 for the table in which Yátova's bandits appear.

<sup>50</sup> AHN: Inq.: Leg. 549, c. 2, no. 22: fol. 18v, and see note 31 above.

<sup>51</sup> AHN: Inq.: Leg. 549, c. 2, no. 22: fol. 20r.

Huçeyt in his defense statement to the inquisitors, along with Francisco Gordo, who had been fined in 1588 for collaborating with bandits. Huçeyt, unsurprisingly, did not view their ties to outlaws as a blot on their character, for his own father Jeronim, deceased by 1609, had also been sentenced to galley service in 1587 for abetting bandits.<sup>52</sup> The boundaries between the “underworld” of bandits beyond the count of Buñol’s jurisdiction and the more lawful world of Yátova were physically porous and, in the minds of the village’s *moriscos*, blurry. It is striking that in their efforts to defame enemies who had possibly testified to the Inquisition against them, the three defendants from Yátova never alluded to their enemies’ connections with bandits, a significant absence pointing to the difference between the royal government’s perception of *morisco* “crime” and violence and the *moriscos*’ understanding of their own behavior. Indeed, a fine line separated *moriscos* whom the seigneur fined for brawling or for the theft of livestock and beehives—itsself perhaps part of the customary competitive activity performed by young men of rival families—from those who committed more serious acts of violence and perforce became outlaws in exile. One must wonder, for instance, what “crime” Andreu Çohot had perpetrated in Yátova that led him to become a highwayman. The Çohots, as has been seen, were a powerful family with many enemies who had influence with the count, probably to Andreu’s misfortune.

Of course, neither Philip II, his viceroys, Archbishop Ribera, nor the inquisitors were interested in the fine distinctions between the various types of *morisco* violence, the ethnic identity of most victims of *morisco* violence—other *moriscos*—or the sociological origins of *morisco* bandits. What they saw, simply and forebodingly, were violent, armed Valencian *moriscos* who still lived like Muslims “as if they were in Algiers.” They also knew, as a matter of fact, that there were Valencian *moriscos* who periodically migrated to North Africa, sometimes in the galleys of Muslim corsairs, and a few others who dabbled in conspiracies with Ottoman and Moroccan sultans, Maghribian corsairs, and even Protestants and who harbored millenarian dreams of a Muslim “reconquest” of Spain. The specter of a Valencian *morisco* revolt had become all the more frightening during the monarchy’s long war against rebellious Granadan *moriscos* in 1568–1570. However, despite the defeat of the Granadans, the Holy League’s great triumph over the Ottomans at Lepanto in 1571, and the

<sup>52</sup> AHN: Inq.: Leg. 551, c. 3, no. 37: fols. 11r, 21v.



obvious fact that the thousands of Valencian *moriscos* never did rise *en masse* in favor of their Granadan brethren, the anxieties of secular and ecclesiastical authorities regarding the kingdom of Valencia's *moriscos* could not be allayed.<sup>53</sup>

Thus from 1563 to 1609 the Crown endeavored to disarm Valencian *moriscos*. The laws of 1563 prohibited *moriscos* from possessing any arms except knives and tools required for work. *Moriscos* found with firearms or crossbows of a certain size were to incur the death penalty, a law that applied as well to Old Christians, since bandits of this ethnicity also made the kingdom's roads unsafe. These measures achieved some success. *Moriscos* rendered thousands of weapons in 1563, and between 1563 and 1609 royal officials charged 230 *moriscos* for carrying prohibited arms, condemning most of those whose sentences were recorded to the galleys. Many *moriscos* nonetheless continued to possess and use arms, sometimes with the connivance of their lords.<sup>54</sup> The lord of Masalavés, for instance, armed forty of his *morisco* vassals with arquebuses while feuding with the *señora* of L'Alcúdia in 1579–1580.<sup>55</sup>

Royal efforts to disarm the Valencian *moriscos* were most intense during the revolt of Granada's *moriscos* in 1568–1570, spurred by fears of Valencian-Granadan collusion. After this, the prosecution of armed *moriscos* was subordinated to the wider campaign against bandits in the kingdom, both *morisco* and Old Christian, though Crown authorities also believed that the former were somehow part of an Islamic fifth column. The count of Aytona, Philip II's viceroy from 1581 until his death in 1594, instituted the most repressive measures against banditry in his decree of 7 June 1586 (these measures remained in place until the Valencian Cortes revoked them in 1604 for being in violation of the kingdom's laws, the *Furs*). Aytona was convinced that banditry could not be extirpated without the cooperation of the nobility and the municipal authorities. Crucial, therefore, were his measures that required seigneurs

<sup>53</sup> Emilia Salvador Esteban, *Felipe II y los moriscos valencianos. Las repercusiones de la revuelta granadina (1568–1570)* (Valladolid: Universidad de Valladolid, 1987); and Marya T. Green-Mercado, "The Mahdī in Valencia: Messianism, Apocalypticism, and Morisco Rebellions in Late Sixteenth-Century Spain," *Medieval Encounters* 19 (2003): 193–220.

<sup>54</sup> Jorge Antonio Catalá Sanz and Sergio Urzainqui Sánchez, "Armas después del desarme. La posesión de armas prohibidas por los moriscos valencianos desde 1563 hasta su expulsión," *Saitabi* 60–61 (2010–2011): 131–53.

<sup>55</sup> Catalá Sanz, "Nobleza valenciana," 87.

and their village councils and *aljamas* as well as municipal governments to apprehend and render to royal courts all perpetrators of homicide within six days of finding the corpses of their victims, on pain of heavy fines. Deeming these measures a violation of seigneurial jurisdiction, the nobility protested, but to no avail. As result of Aytona's decree, the Crown, between 1586 and 1604, imposed fines in 140 different cases on eighty-nine localities, sixty-six seigneurial and twenty-three royal. Yet only one-quarter of these homicides had any relation to banditry. The rest involved other kinds of violence between *moriscos*, between Old Christians, or between members of the two ethnic groups. Intra-group feuding was in many cases the cause of homicide.<sup>56</sup> Seigneurs doubtless felt that they could deal with such bloody eruptions in their villages as they always had—by arranging truces and compensation payments and strategically sending perpetrators into temporary or permanent exile.

Of the hundreds of *moriscos* charged with and penalized for banditry, only one, as has been noted, had any demonstrable ties with *moriscos* who plotted with foreign Muslims. The *moriscos'* feuding violence, which was integral to local intra-communal struggles for power and status, also did not have explicit connections with such international conspiracies that might bring about the overthrow of Christian rule in Spain. After all, this violence involved *moriscos* attacking other *moriscos*, not Old Christians. Yet feuding did help perpetuate among the Valencian *moriscos* a view of the world and of their place in it long held by their *mudéjar* ancestors: that they were Muslim men of honor and dignity who proved their worth and manifested their identity through feuding with coreligionists; and they were also the descendants of Muslim princes who had achieved greatness among their fellows while conquering much of the known world. And they still felt part of the *umma*, with its great sultans who might one day recapture Spain. They could wait, and as millenarian *moriscos* had it, the wait would not be long. Meanwhile, they would worship and feud as Muslims in their Valencian homeland. The Spanish monarchy, unfortunately, had other ideas.

<sup>56</sup> Jorge Antonio Catalá Sanz and Sergio Urzainqui Sánchez, “*Nemo teneatur ad impossibile*. Las consecuencias de la pragmática para la extirpación del bandolerismo valenciano: cláusulas relativas a la punición de homicidios (1586–1604),” *Revista de Historia Moderna* 32 (2014): 147–79; and idem, *Bandolerismo*, 177–81.

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# An Incident at Damietta: 1733

*Molly Greene*

Port cities in the eastern Mediterranean have received a good deal of attention from historians, particularly in their nineteenth-century iteration when they were growing by leaps and bounds.<sup>1</sup> Yet despite the standard use of the term, the lion's share of the attention has gone to *cities* rather than ports themselves. Two themes have dominated the study of nineteenth century Izmir/Smyrna, Thessaloniki, Alexandria, and other, lesser

<sup>1</sup>The literature is extensive. See Henk Driessen, "Mediterranean Port Cities: Cosmopolitanism Reconsidered," *History and Anthropology* 16, no. 1 (2005): 129–41; Athanasios Gekas, "Class and Cosmopolitanism: The Historiographical Fortunes of Merchants in Eastern Mediterranean Ports," *Mediterranean Historical Review* 24, no. 2 (2009): 95–114; Khaled Fahmy, "Towards a Social History of Modern Alexandria," in *Alexandria: Real and Imagined*, ed. Anthony Hirst and Michael Silk (Burlington: Ashgate, 2004), 281–306; "Port-Cities of the Eastern Mediterranean 1800–1914," special edition of *Review: Fernand Braudel Center* 16, no. 4 (Fall 1993); Olga Katsiardi-Hering, "City-ports in the Eastern and Central Mediterranean from the Mid-Sixteenth to the Nineteenth Century: Urban and Social Aspects," *Mediterranean Historical Review* 26, no. 2 (2011): 151–70.

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S. Davis-Secord et al. (eds.), *Interfaith Relationships and Perceptions of the Other in the Medieval Mediterranean*, Mediterranean Perspectives, [https://doi.org/10.1007/978-3-030-83997-0\\_12](https://doi.org/10.1007/978-3-030-83997-0_12)

port cities. The first is the contested question of cosmopolitanism, the other is the port city as a critical node in globalization. In both cases it is the city, rather than the port, that is investigated as a way of answering these questions, even as historians acknowledge that infrastructure improvements involving the ports were critical in allowing the cities to grow.<sup>2</sup>

Much less research has been done on eastern Mediterranean ports prior to the nineteenth century—not surprisingly, given that their explosive growth had not yet happened—but what there is also pays more attention to the city rather than the port to which it was attached. Daniel Goffman’s study of seventeenth-century Izmir/Smyrna, now three decades old, is the exception and remains the most comprehensive study yet of an early modern Ottoman port city. His narrative of the transformation of a small town into a center of international trade includes extensive information on the struggles that unfolded at the wharves and docks of the city. We shall refer to it more below.

Going back further in time the situation is the same; very little has been written about ports in the medieval Islamic world.<sup>3</sup> And yet ports should be of great interest to us. They are very particular places which straddle the tension between access and connection on the one hand, and control and regulation on the other. Just as importantly, despite a similar functional role, each port is a distinctive place. This tends to get overlooked in general discussions about the incorporation of the Ottoman Empire into the world economy.

This article, a microstudy of the port of Damietta, will identify what was distinctive about the city’s interface with the sea, through a close examination of the port itself, as well as a comparison with Rosetta and Alexandria. I shall argue that there was no one port of Damietta, but rather several key arenas of encounter that offered different levels of opportunity and risk. Due to a combination of geography and decisions

<sup>2</sup>Khaled Fahmy’s “Towards a Social History of Modern Alexandria,” however, does include a discussion of the dockyard built in the western harbor of the city.

<sup>3</sup>Roxani Margariti notes this in her pioneering study of the port of Aden in the medieval period: “Scholars have not neglected Indian Ocean ports alone; rather, port cities of the Islamic world as a whole have received little attention. Even Alexandria, one of the most important ports of the medieval Mediterranean, is nowhere treated exhaustively as a maritime urban center.” Roxani Margariti, *Aden and the Indian Ocean Trade: 150 Years in the Life of a Medieval Arabian Port* (Chapel Hill: University of North Carolina Press, 2007), 6.

about where to deploy resources, the nature of commercial interactions in Damietta were dramatically different within the space of just a few short miles. At the same time, and keeping in mind this unevenness, it is also the case that overall Damietta enjoyed a higher level of autonomy from state authorities—whether European or Ottoman—than other Egyptian ports. This, too, presented both opportunities and risk.

Before turning to Damietta, however, a systematic consideration of how to think about early modern ports (i.e., before the nineteenth century) in the Ottoman Empire is in order. This will include a number of questions that will be raised but cannot yet be answered, in the hopes of stimulating further research.

Ports are first and foremost sites of commerce, vitally important throughout the early modern period because transport by water was consistently cheaper than overland routes. Despite the obvious benefits that a port can bring to a state, Ottoman historians tend to see Ottoman ports in the early modern period as places where the power of the state drains away, as leaks in the system of provisioning which directed foodstuffs and other essentials to Istanbul and the other major cities of the empire. This is certainly Goffman's depiction of Izmir, but the association of ports with weak state authority is widespread in the literature. Lack of oversight is often seen as a boon for the port itself. Thus Olga Katsiardi-Hering, speaking of Thessaloniki, Smyrna, and Trieste writes:

Another shared characteristic is the lack of an imperial court or the sort of power that dominated both the imperial capitals—Constantinople and Vienna—and their Adriatic rival, Venice. This made it possible for a more autonomous and flexible society to develop, free of direct state control and without the close supervision and impositions of court or state.<sup>4</sup>

A recent study by Joshua White provides a rather less familiar depiction of an Ottoman port in its emphasis on law and order under the shelter of state authority. In 1603, some English pirates sailed into the port of Modon on the western coast of Greece with the hope of selling their stolen cargo. But local Ottoman officials, seeing the Venetian markings on the goods, not only refused to buy them, they also turned the pirates over to Venetian authorities. Here the law-abiding servants of the Porte were

<sup>4</sup>Katsiardi-Hering, "City-ports," 154.



intent on denying shelter to pirates, in accordance with agreements drawn up between the Ottomans and the Venetians.<sup>5</sup>

And yet just a few decades later, the port of Modon had done an about-face, and officials there were now actively cooperating with pirates.<sup>6</sup> There is a further line of distinction that can be drawn. In the 1603 incident pirates were looking for a place to sell their goods; later on, when the ties between the western shores of Greece and North Africa grew closer, it was the port as safe-haven (even for pirates) that was more compelling. The case of Modon, and it was not the only one, demonstrates that ports could move from being spaces that were off-limits to pirates to spaces that provided them with a safe-haven, whether to transact business or avoid their enemies. The incidents recorded at the port also make us aware of how much we do not know about Ottoman ports. Did a port that was welcoming to pirates look different from one that was not? The 1603 incident is interesting in this regard. Did the pirates knowingly take a risk when they sailed into Modon, hoping to sell their goods? Or did they make a mistake and, if so, what led them to think that Modon would be safe?

Ottoman ports were also prime sites for smuggling, a phenomenon that has not been sufficiently distinguished in the literature from piracy. In the latter, the movement is from the sea to the port while in the former the challenge is to move goods from the hinterland to the port and send them on their way. Smuggling of Ottoman grains to eager western buyers occurred in both large ports (Izmir) and small (Foça), although we do not know what considerations drove the preference for one or the other.<sup>7</sup> A merchant named Hacı Osman sold enormous amounts of unauthorized grain right in the port of Alexandria, while in western Anatolia Ottoman pilots from numerous small ports stowed small amounts of grain which

<sup>5</sup>Joshua White, *Piracy and Law in the Ottoman Mediterranean* (Stanford: Stanford University Press, 2018), 137. By the terms of the capitulations, ports were sites of Ottoman sovereignty whose violation was a serious matter. In 1638 Venice and the empire almost went to war over the entry of Venetian ships into the Adriatic port of Valona, in pursuit of some North African corsairs who had taken refuge there. The Venetians had the right to pursue corsairs at sea, but could not enter Ottoman ports in that pursuit. Kenneth Setton, *Venice, Austria and the Turks in the Seventeenth Century* (Philadelphia: American Philosophical Society, 1991), 108.

<sup>6</sup>White, *Piracy and Law*, 161.

<sup>7</sup>Daniel Goffman writes that “Frankish vessels sailed furtively into the port of Foça to buy provisions,” but it is not clear what it means to sail “furtively.” Daniel Goffman, *Izmir and the Levantine World, 1550–1650* (Seattle: University of Washington, 1990), 36.

they then transported to the Aegean islands for sale to Europeans.<sup>8</sup> Even once a ship was en route to Istanbul, properly provisioned with goods for the capital city, diversions could occur. The late sixteenth century saw a flurry of decrees forbidding (in vain) ships coming from Izmir from even stopping at the port of Tekirdağ on the Marmara coast. The port had become notorious as a place where large quantities of goods destined for Istanbul were mysteriously spirited away (here we see the movement of smuggling reversed and state policy changed accordingly: instead of trying to police Tekirdağ, the authorities try to prevent it from being entered).

It is well known that Ottoman officials of all ranks were involved in these activities. In an article on contraband trade in the ports of Brazil, one historian suggests that we call this “condoned illegal trade.” He further argues that condoned illegal trade should be distinguished from “proscribed illegal trade” which took place along the coastline, outside of official ports. In the latter case officials did not get a cut and, if caught, the perpetrators would be arrested.<sup>9</sup> This is a distinction that historians of the Ottoman Empire have yet to explore, in part because ports have not been the subject of sustained attention. Given that, “unofficial ports”—whatever that may mean—are even more in the shadows.

The question of licit and illicit trade, however defined, must intersect with port administration. Here, too, the literature is thin. Customs revenues from the ports were amongst the most prized revenues in the empire and we know quite a bit about who held them, as tax farms, over the centuries of Ottoman rule. By the last quarter of the seventeenth century, for example, the janissary corps in Egypt had farmed all of the customs tax revenue for the province, including the revenue of the ports (except for Suez).<sup>10</sup> The customs tax farm is often treated as synonymous with the port but in fact port officials were distinct from the tax farmers. In Egypt at least, a *qabudan* or “captain” was appointed for each port—Rashid (Rosetta), Damietta, Suez, and Alexandria. He was in charge of coastal security, the upkeep of the forts and cisterns, and the provision of public order more generally. A five-man council (*diwan*) assisted him, consisting

<sup>8</sup> Goffman, *Izmir*, 38.

<sup>9</sup> Ernst Pijning, “A New Interpretation of Contraband Trade,” *Hispanic American Historical Review* 81, nos. 3–4 (2001): 733–38, at 734–36.

<sup>10</sup> Michael Reimer, “Ottoman Alexandria: The Paradox of Decline and the Reconfiguration of Power in Eighteenth-Century Arab Provinces,” *Journal of the Economic and Social History of the Orient* 37, no. 2 (1994): 107–46, at 112.

of a judge of the port, a customs inspector, a controller of customs revenue, a market inspector (*muhtasib*), and a commander of the forts.<sup>11</sup>

Goffman's Izmir is a port bursting with officialdom. The city's judge (*qāḍī*) had both overall authority—directives from Istanbul about problems in the port were sent to him—as well as specific duties such as registering the goods loaded onto ships departing for Istanbul, part of an effort to ensure that all provisions purchased for the capital actually arrived.<sup>12</sup> The customs officials—Jewish tax farmers in the case of Izmir—are ubiquitous in both Ottoman and European correspondence, facilitating and at the same time impeding the transactions of individual merchants, as well as pursuing their own business interests. The janissaries had their place too as it was the custom for a merchant to pay a janissary to guard goods on the dock. Then there were the porters (*hamals*), who carried merchants' goods from ship to shore. Goffman documents a seemingly unending series of quarrels among these various groups—perhaps unsurprisingly the port was a very fractious place—including insubordination on the part of Ottoman officials. For instance, in a fight between the Venetian and the English consuls early in the seventeenth century, Istanbul ordered its customs officials to turn over consulage dues to the Venetians, but the officials ignored this order and continued to favor the English.<sup>13</sup> This fractiousness, of course, is part and parcel of Goffman's larger argument that, over the course of the seventeenth century, Istanbul lost control of the port of Izmir to collusion between European merchants and local officials. Nevertheless, he also documents continuous and dense correspondence between the Porte and, especially, the *qāḍī* of Izmir.<sup>14</sup> Local

<sup>11</sup> Reimer, "Ottoman Alexandria," 135. These officials were known as the *qadi il-mina*, *amin al-jumruk*, *agha al-hawala*, *muhtasib*, and *dizdar al-qila*. Reimer's 1994 article on Alexandria is one of the most valuable studies we possess of an Ottoman port.

<sup>12</sup> Goffman, *Izmir*, 42.

<sup>13</sup> Goffman, *Izmir*, 100.

<sup>14</sup> It seems likely that the Ottomans would have been in closer contact with officials in Izmir than they would have been with those in the port cities of Egypt, but research has not yet been done which would allow us to compare the level of correspondence between Istanbul and the various ports of the empire. The Ottomans did correspond with Egyptian ports throughout the eighteenth century. Qadis in Alexandria and Damietta copied Ottoman *fermans* and other official documents into local court records. Ottoman documents disappear from the court records of Rosetta after 1765 for reasons that are unclear; possibly the Ottomans decided to centralize operation of the port through Alexandria. I thank Zoe

officials were clearly very angry whenever western merchants complained to Istanbul; in 1612 port officials systematically demolished Venetian houses along the waterfront, and all the goods inside them, in retaliation for complaints about unpaid loans.<sup>15</sup>

For officials, ports were a significant source of profit and had to be defended as such. When in the early seventeenth century the Ottomans moved the port of Aleppo from Tripoli in northern Syria to Alexandretta, the governor of Tripoli fought back with petitions and bribes in Istanbul. His campaign worked and the order was rescinded; once again Aleppo's goods would be sent to Tripoli. Just a few years later however, European merchants combined forces and managed to have the port moved back to Alexandretta again, where it would finally stay. This is a reminder that the fate of Ottoman ports is as much a political as it is an economic story.<sup>16</sup>

Finally, Ottoman ports (like all Mediterranean ports in this period) were sites of naval war and defense. As Colin Imber has pointed out, almost all Ottoman naval engagements were assaults on coastal or insular fortresses; a battle on the high seas was rare.<sup>17</sup> Certain ports were centers of shipbuilding—Istanbul, Gallipoli, Suez, Sinop, Izmit, and Basra—while other ports housed flotillas which were charged with patrolling the Aegean and eastern Mediterranean.<sup>18</sup> With the conquest of Egypt in 1517, Alexandria and Suez were added to the list of ports with permanent squadrons; the captain at Alexandria was expected to cooperate with the *Sancak* governor at Rhodes to protect Egypt's trade with the empire.<sup>19</sup>

Griffith for providing me with this information on Ottoman documentation in the Egyptian court records of Alexandria, Rosetta, and Damietta. Email correspondence: February 28, 2016.

<sup>15</sup> Goffman, *Izmir*, 112.

<sup>16</sup> The story is told in Bruce Masters, *The Origin of Western Economic Dominance in the Middle East: Mercantilism and the Islamic Economy in Aleppo, 1600–1750* (New York: New York University Press: 1988), 16–17. Goffman's account of the move back to Tripoli in 1609 is rather different; he says it was done because Alexandretta was too exposed to piracy. Goffman, *Izmir*, 67. Masters implies that Alexandretta became an "official" port once the Ottomans established a customs station there. This may well be the case but the general question of how to classify Ottoman ports has not yet been studied.

<sup>17</sup> Colin Imber, *The Ottoman Empire, 1300–1650: The Structure of Power* (London: Palgrave, 2009), 311.

<sup>18</sup> Imber, *The Ottoman Empire*, 294. The arsenal at Basra seems not to have outlasted the sixteenth century. Galleys were permanently stationed at Kavalla, Lesbos, and Rhodes; other Aegean *Sancaks* could be required to supply a galley as need required.

<sup>19</sup> Imber, *The Ottoman Empire*, 301.

The port of Volos in central Greece, near the fertile plain of Thessaly, was an important center for the provision of ship's biscuit.<sup>20</sup> In outlining the naval geography of the eastern Mediterranean—with the importance of places like Kavalla, Rhodes, and Volos—we are confronted with a substantially different, and less familiar, map than that of the commercial Mediterranean, with its emphasis on Thessaloniki, Izmir, and Alexandria. Although the decline of the Ottoman navy in the seventeenth and eighteenth centuries has been much discussed, the significance of this development for individual ports has not been investigated. The change at Alexandria must have been quite dramatic; in the sixteenth century it hosted a permanent squadron of galleys but by the eighteenth century French consular reports emphasized the fact that the Maltese could sail into Egyptian ports with impunity due to the ineffectiveness of Ottoman artillery.<sup>21</sup>

In the last decade or so there has been an explosion of literature on Ottoman borderlands and frontiers. Bodies of water, principally the Mediterranean but also the Black Sea, figure prominently in this literature but the port as a space in and of itself has not yet been considered.<sup>22</sup> A recent study does include several articles on marine fortifications, if not on ports per se, and Colin Heywood's article on the maritime frontier in the western Mediterranean includes the following intriguing detail.<sup>23</sup> The Tunisian port of Ghar al-Milh, known to the Europeans as Porto Farina, was built by a local ruler (*dey*) in the first half of the seventeenth century. Inscriptions within the fortified settlement commemorate its rebuilding by the Ottoman grand vezir Ahmet Köprülü, after its partial destruction

<sup>20</sup> Imber, *The Ottoman Empire*, 313.

<sup>21</sup> Daniel Sabatier, "La Caravane Française en Égypte, dans La Deuxième Moitié du XVIIIe Siècle," in *Αφιέρωμα στο Νικό Σβορώνο*, ed. Vasilēs Kremmydas, Chryssa Maltezou, and Nikolaos M. Panagiotakes (Rethymnon: University of Crete Publications, 1986), 180–201, at 188.

<sup>22</sup> See Linda Darling, "The Mediterranean as a Borderland," *Review of Middle East Studies* 46, no. 1 (Summer 2012): 54–63, for a discussion of the conceptual issues in borderland and frontier studies.

<sup>23</sup> Colin Heywood, "A Frontier without Archeology? The Ottoman Maritime Frontier in the Western Mediterranean, 1660–1760," in *The Frontiers of the Ottoman World*, ed. A.C.S. Peacock (Oxford: Oxford University Press, 2009) (Proceedings of the British Academy 156), 493–508. Heywood's bibliography includes a two-volume study of the coastal fortifications of Tunisia that was published 20 years ago: Neji Djelloul, *Les fortifications côtières ottomanes de la régence de Tunis (XVI–XIXe siècles)* (Zaghwan: FTFRSI, 1995).

by an English attack in 1655, “inscriptions which are now deteriorating into illegibility at the hands of benign neglect and the salt sea air.”<sup>24</sup> The story of Ghar al-Milh is noteworthy on two counts. First, *deys* are not usually associated with the construction of ports; and two, the seventeenth century is more commonly equated with Ottoman withdrawal from the maritime world. And yet Köprülü saw fit to repair Ghar al-Milh, in faraway North Africa no less. The second half of the seventeenth century, in fact, saw a number of attempts to regain control of the eastern Mediterranean. In repairing Ghar al-Milh, Ahmet Köprülü was following in the footsteps of his father, Köprülü Mehmet Paşa, the first grand vezir in the Köprülü dynasty. Mehmet Paşa fortified the western approaches to Istanbul and directed resources to the imperial dockyard in order to build more ships. Toward the end of the century, two separate squadrons were sent into the eastern Mediterranean with the goal of protecting the trade between Rhodes and Rosetta, a port on the Egyptian coast.<sup>25</sup>

Most studies of Ottoman ports in the early modern period, that is, prior to the nineteenth century when the source base expands dramatically, rely heavily on European documentation, particularly consular records. The Venetian archives are very valuable for the sixteenth century while the French sources are essential later on because by the eighteenth century the French were the postmen of the Mediterranean, connecting the many ports of the sea through incessant voyages on small ships. Ottoman court records, although not available for all of the major ports (the absence of the records for Izmir is a real loss), do exist for many and have started to be exploited, although much work remains to be done.<sup>26</sup> Eastern Mediterranean ports also appear routinely in Ottoman-European diplomatic correspondence, including commercial treaties.

Valuable as all of these sources are, they are not generally concerned with the physical layout and the operation of the port, aside from rather standard complaints about “corrupt” officials. Travelers’ accounts, of which there are quite a few, often do give us some sense of the experience of an Ottoman port, but their descriptions tend to be brief. The following

<sup>24</sup> Heywood, “A Frontier,” 500.

<sup>25</sup> Amnon Cohen, “Ottoman Rule and the Re-Emergence of Coastal Palestine (17th–18th Centuries),” *Revue de l’Occident musulman et de la Méditerranée* 39 (1985): 163–75, at 164.

<sup>26</sup> Zoe Griffith’s 2017 PhD dissertation, based on the court records of the cities of Rosetta and Damietta, will be a tremendous contribution when published. Zoe Griffith, “Egyptian Ports in the Ottoman Mediterranean, 1760–1820” (PhD. diss., Brown University, 2017).

court case recorded in Florence is therefore of a different order altogether, as it records the minutiae of an extended encounter, stretching over a week, between a commercial ship and a corsair.

### AN INCIDENT AT DAMIETTA

In October of 1733 the proceedings of a court case were published in Florence. The fact that they were published was one sign of the case's importance. Another was that the case was heard at the *Ruota fiorentina* (also known as the *Ruota Civile*), which was an appeals court and the highest court in Florence. It was selected for inclusion in one of the two major compilations of Florentine law in the nineteenth century.<sup>27</sup>

From this court case we learn that on the second of May, 1733, Francesco di Giovanni—who was armed with a *patente*, or license to practice the *corso* (as the sea-raiding at the time was known), issued by the authorities of Tuscany—attacked a ship commanded by captain Demetrio Licudi, from the Ionian island of Zakynthos, in the Egyptian port of Damietta. In the course of the attack Giovanni seized the ship itself, as well as the cargo, which consisted of rice, linen, and coffee. These facts were not in dispute. The question before the court was whether or not this attack was legitimate. In the end the court decided in favor of Demetrio Licudi, and Francesco di Giovanni was ordered to make full restitution.

The legal arguments take up a good deal of the case, but they are not what will concern us here. Instead, the extensive narration of the incident (the document runs to thirty-four pages in its nineteenth-century print

<sup>27</sup> I am currently researching the reason for the importance of this particular lawsuit, which was originally published by the notaries Giacomo Conti and Pier Francesco Mormorai in a report dedicated to the Grand Duke of Tuscany: *Relazione a sua Altezza Reale... nella causa di pretesa preda vertente fra il capitano Francesco di Gio. corsaro, e il capitano Demetrio Licudi, e suo equipaggio* (Florence: Domenico Ambrogio Verdi, 1733). That topic falls outside the bounds of this article. For the *Ruota fiorentina* see Giuseppe Pansini, "Le cause delegate civili nel sistema giudiziario del principato mediceo," in *Grandi Tribunali e Rotte nell'Italia di antico regime*, ed. Mario Sbriccoli and Antonella Bettoni (Milan: Giufré, 1993), 605–41. In the nineteenth century, in the context of the codification of law, two major collections of important court cases were assembled in Florence. This case appears in A. Bartolommeo and C. Marzucchi, *Raccolta delle decisioni della Ruota fiorentina dal MDCC al MDCCCVIII, disposte per ordine cronologico* (Florence: L. Marchini, 1836–1866), 9: 110–37, with only slight variations from the 1733 text. I thank Guillaume Calafat for his indispensable help in understanding the judicial institutions of Florence, as well as publishing practices.



version) provides a valuable, and rare, view of an Ottoman port in operation in the early modern period. A defining feature of the port of Damietta is that it was an inland port, accessible only by sailing down the Nile. Because of this, and for reasons that will be explained, the significance of two other locations must be underlined in order to understand the particularities of Damietta as a port. These were the *boğaz* or *bugasso*, which was where the Nile met the Mediterranean, and the *rada* or roadstead, which was along the coast, several miles away from the Nile itself. The distinction between inland ports and those lying directly along the shore is not commonly made in discussions of Ottoman ports and port cities, and is not conveyed by conventional terms such as “the port of Damietta.” Although the attack on Demetrio Licudi cannot be understood outside of the context of the city of Damietta, we shall see that the city and its port are nearly invisible in the court case.

The first contact between the corsair and his victim occurred on April 22. It was an ostensibly friendly one, suggesting a mutually beneficial exchange. Giovanni sent Licudi a note, asking him that, if he had any *sego*, could he please bring him some. He would remain obliged to him for this favor. And if he, Licudi, would like, he could ransom the Moorish prisoners Giovanni was holding. Giovanni wrote that Licudi could come freely, without any suspicion, and that he would wait for him until past noon.<sup>28</sup> When he wrote this note, Giovanni was anchored at the *rada*, which is the first place that figures prominently in the court case. The *rada* was the roadstead of Damietta and, according to the document, it was two or three miles from the *bugasso*, or entrance to the Nile (to be discussed shortly).<sup>29</sup> This must be the same spot described by Piri Reis as “an anchorage” (*demur yeri*) four miles east of the mouth of the river (Fig. 1).<sup>30</sup> What appears to be the *rada* is also described in an English navigational

<sup>28</sup> “Pregandolo, se VS avesse raccolto qualche poco sego di portarmelo a bordo, che poi del favore li resterò obbligato, e se volessero riscattar questi Mori, che tengo dentro, possono venire liberamente senza nessun sospetto...” Bartolommeo and Marzucchi, *Raccolta*, 131. *Sego* was a material, either an animal fat or a tropical plant, used in the manufacture of candles. I thank Konstantina Zanou for explaining to me the meaning of the word.

<sup>29</sup> Bartolommeo and Marzucchi, *Raccolta*, 130. The Rada is repeatedly identified as a place in the document. Paul Masson, in his multi-volume study of French trade, also identifies the *rada* of Damietta as a place “très bonne où les navires avaient l’habitude de mouiller, à deux lieues environ de l’embouchure ou Bogas.” Paul Masson, *Histoire du Commerce Français dans le Levant au XVIIIe Siècle* (Paris: Hachette & cie, 1911), 603.

<sup>30</sup> In Piri Reis’s map of Damietta, the place is not marked on the map but appears in the textual description. Piri Reis, *Kitab-i Bahriye* (Istanbul: Devlet basımevi, 1935), 720.

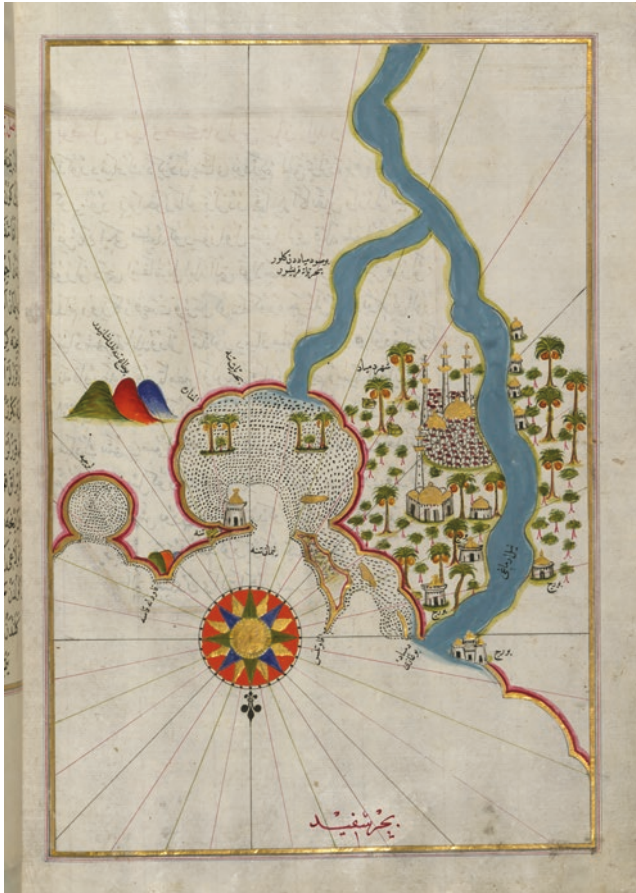


Fig. 1 Piri Reis map of Damietta (south is at the top)

handbook published just three years after the confrontation described in our court case: “Before Damiette is good ground, a great way off, by reason of the Mud that is brought down by the waters of the Nile into the sea.”<sup>31</sup>

<sup>31</sup> *The English Pilot, Describing the sea-coasts, capes, head-lands, bays, roads, harbours, rivers and ports...in the whole Mediterranean Sea* (London: Printed for W. and J. Mount, T. and T. Page, 1736), 82.

Roadsteads were a low-cost solution in situations where natural features made navigation difficult, most often due to the rapid deposit of alluvial silt, as was the case with the entrance to the Nile at Damietta. From roadsteads, ships would unload their wares onto small lighters (the *germe* in the case of Damietta) which could carry cargo over shallow waters.<sup>32</sup> In his classic study of French commerce in this period, Paul Masson writes that the roadstead of Damietta was very secure and it was where ships were accustomed to anchor. He remarked that as of the year 1787 there had been no shipwrecks in thirty years, despite the fact that winter was the season for loading the ships with rice for Marseille.<sup>33</sup>

Licudi had entered the *bugaso* or *bugasso* of Damietta, with the goal of loading his *sambecchino*, when Giovanni wrote to him.<sup>34</sup> The word is the Italian equivalent of the Turkish word *boğaz*, meaning strait. In this particular context it is the place where the Nile meets the Mediterranean Sea and it is the second significant place in the court proceedings.<sup>35</sup>

We do not know if the proposed transactions—the delivery of *sego*, or the ransoming of the Moors—ever took place; there is no further mention of them in the text. But Licudi must have been open to doing business with Giovanni because, a few days later, we find the former on board the latter's ship.<sup>36</sup> Once Licudi was there, Giovanni took the opportunity to issue another note, this one called a *biglietto* (rather than a *lettere*). This was on April 27, five days after the initial contact:

We, the undersigned captain, permit Signor Demetraci to come from the Bugaso of Damietta in order to load [cargo], given that there are germe in the Rada of Damietta which will be at his service. He may do this without any fear of molestation or hindrance. This letter will be in effect until we set sail from the Rada of Damietta.<sup>37</sup>

<sup>32</sup> Margariti, *Aden and the Indian Ocean Trade*, 70.

<sup>33</sup> Masson, *Histoire du Commerce Français dans le Levant au XVIIIe Siècle*, 603–4.

<sup>34</sup> We know this from the document. “Egli era entrato nel Bugasso di Damietta col Sambecchino per caricarlo.” Bartolommeo and Marzucchi, *Raccolta*, 133.

<sup>35</sup> It is clearly identified as such. Piri Reis, *Kitab-i Babriye*, 721.

<sup>36</sup> In the letter Giovanni wrote on April 22 he invited Licudi to come on board. Bartolommeo and Marzucchi, *Raccolta*, 133.

<sup>37</sup> Bartolommeo and Marzucchi, *Raccolta*, 131: “Noi Capitano sottoscritto permettiamo al Signor Demetraci di venire dal Bugaso di Damietta, e di poter caricare, essendo nella detta Rada le Germe, quali verranno al suo servizio, senza darli alcuna molestia, nè impaccio: si intende, che Noi vogliamo, che il presente scritto abbia forza finchè noi faremo vela dalla Rada di Damietta. Fatto nel Bordo del Vascello li 27 Aprile 1733.”

Licudi was evidently persuaded by this promise. He sailed out to the *rada*, anchored and began to load his ship. This was a mistake. For two or three days after that the corsair ship remained anchored in the *rada* while, presumably, Licudi began to load his ship. Then Giovanni sailed away from the *rada* until he and his ship disappeared on the horizon.<sup>38</sup>

This appears to have been a ruse. According to the narrative of the case, having lost sight of Damietta, the corsair reversed course on the first of May and sailed back to Damietta. The following day he sent his *felucca* to attack the *sambecchino*. The purpose of this was the following: “the corsair set sail for some hours with the intent, not to leave, but to return immediately and by so doing to elude the promise, issued on April 27, which was good until the thirtieth of the month.”<sup>39</sup> Evidently when he returned on the first of May, and then attacked on the second of May, he could plausibly claim that the *biglietto* no longer held. Crucially, Licudi was still at anchor because, as the court observed, vessels could not leave until the wind permitted.<sup>40</sup>

The court case, then, identifies two significant areas, the *boğaz* and the *rada*. Let us take them in order and see what an excavation of these two places can tell us about the operation of the port of Damietta. In the *boğaz*, Licudi was safe from attack. We know this because of an observation that the judges made in the course of adjudicating the case: the corsair showed “bad intent” (*mal animo*) when he invited Demetrio to come on board his ship because he (the corsair) “knew that he could not molest him in the *bugasso*, which he knew to be very secure.”<sup>41</sup> What was the source of this security? Given the information that we have, there are several possibilities.

The first is that ports were actively defended through firepower. The Piri Reis map shows four *burūj* (fortresses) lined up on either side of the Nile at Damietta, two on each side, where it meets the Mediterranean, that is, at the *bugasso*.<sup>42</sup> The German traveler Vansleb, who visited Damietta

<sup>38</sup> “Che dopo passato il bigliettoto, continovò egli a stare nella Rada ancorato col suo vascello, per due, o tre giorni, quali passati, fece vela, e si allontanò da terra soltanto, che perdesse di vista Damietta.” Bartolommeo and Marzucchi, *Raccolta*, 131.

<sup>39</sup> Bartolommeo and Marzucchi, *Raccolta*, 131.

<sup>40</sup> Bartolommeo and Marzucchi, *Raccolta*, 132.

<sup>41</sup> Bartolommeo and Marzucchi, *Raccolta*, 132–33.

<sup>42</sup> Piri Reis, *Kitab-i Babriye*, 721. In the medieval period the city had been fortified, but in 1250 the Mamluks “demolished all the ramparts, razing them to the ground and in order to prevent the Christians from ever making use of the city, they took all the Stones and

in 1672, commented on one of these fortresses: “It is square and divided into four round Turrets, upon which some Artillery have been planted to command the Passage, and where a few Moors are upon the guard.”<sup>43</sup> This makes clear that some effort had been put into controlling entry into the Nile and, thus, to the port of Damietta. Does that mean that unwelcome ships trying to enter the Nile would be fired upon? This is hard to answer. Not only is there no direct evidence on Damietta; we know very little about the use of firepower in Ottoman ports in general (outside of North Africa). An anecdote from Evliya Çelebi shows that even in the smaller, lesser known ports, guns were available and could be used. In 1672, that is sixty years before Licudi’s troubles at Damietta, Evliya was on a ship sailing into the Egyptian port of Abukir, just east of Alexandria.<sup>44</sup> Two Christian ships captured a *shayka* (a small ship) full of Muslims and, hoisting the truce flag that would signal a desire to do business, they towed the ship into port and began selling the captives. Apparently, the castle warden (*dizdar*) was not inclined to do anything about even the shocking sight of Muslims being sold as slaves right under his nose, until Evliya threatened to report him to the governor. Then he bombed the ships—blowing up one and damaging the other—and in so doing was able to free all 145 Muslim captives.

It is difficult to know if the warden was unwilling to act due to a fear of corsair retaliation later on, or if he stood to benefit from the sale of the victims as captives. We do know that it is very unlikely that the imposing fortress of Qait Bey, which rose up over the northeast corner of the much larger port of Alexandria, had any military capability whatsoever.<sup>45</sup> French

carried them to the River Nile.” The early fourteenth-century traveler Ibn Battuta noted that the town was “recent construction.” Megan Cassidy-Welch, “‘O Damietta’: War Memory and Crusade in Thirteenth-Century Egypt,” *Journal of Medieval History* 40, no. 3 (2014): 346–60, at 346–47. At least among the Europeans, however, there was a memory of the city’s past. The German traveler Johann Vansleb, in Damietta in the 1670s, wrote the following about the tower on the east bank of the Nile just above Damietta: “As soon as we enter into the River, from the Sea, we find on the East-side, at the Mouth, an old Castle ruined but final; which, as the Francs say, was built by S. Lewis, the French king, when he had Damietta.” Johann Vansleb, *Present State of Egypt, or, A new relation of a late voyage into that kingdom performed in the years 1672 and 1673* (London: Printed by R.E. for John Starkey, 1678), 66.

<sup>43</sup> Vansleb, *Present State of Egypt*, 66.

<sup>44</sup> The following account is drawn from Robert Dankoff, *An Ottoman Mentality: the World of Evliya Çelebi* (Brill: Leiden, 2006), 141–42.

<sup>45</sup> Reimer, “Ottoman Alexandria,” 116.

consular reports routinely assert that the Maltese could sail into Egyptian ports with impunity due to the ineffectiveness of Ottoman artillery.<sup>46</sup> This assertion, however, must be reconciled with the fact that Alexandria had two harbors, one western and one eastern; the former, which was superior, was reserved for Muslim ships while Europeans were confined to the latter. The eastern port was far more exposed to the weather and shipwrecks were common. Not only that, but ongoing European attempts to gain access to the western port were by and large rebuffed, at least in the earlier years of the century.<sup>47</sup> Clearly, then, the European inability to access the better harbor was diplomatic and political in nature, not military. Unlike the Maltese, the Europeans were concerned to maintain a cooperative relationship with Ottoman authorities as a violation of the rules could hurt French interests across the empire.<sup>48</sup>

Access to the Nile and thus to the port of Damietta was to a certain extent impeded by physical factors. Larger ships were unable to enter the Nile at Damietta since it was only eight to twelve feet deep; they had to anchor outside the harbor and unload their cargo into skiffs.<sup>49</sup> However, when the waters were high, between August and October, it was possible to enter and sail down the river.<sup>50</sup> Masson emphasizes this seasonal variability but also speaks of permission: “Seuls les bateaux des gens du pays avaient le privilège d’entrer en toute saison dans le Nil et de venir s’ancre au quai même de la ville.”<sup>51</sup> French sources note that, even if French traders made it to the city (i.e., to the actual port of Damietta), their mobility was still strictly limited; they were seldom permitted ashore and were often forced to leave before having completely loaded their cargo. Vansleb noted

<sup>46</sup>Sabatier, “La Caravane Française,” 188.

<sup>47</sup>Daniel Crecelius, *The Roots of Modern Egypt* (Minneapolis: Bibliotheca Islamica, 1981), 156.

<sup>48</sup>As was the case, in fact, with the port of Damietta. The activities of French merchants at Damietta where, for example, they illegally exported rice to Europe, caused endless troubles for the French merchants operating in Cairo and Alexandria. Daniel Crecelius and Hamza Abd al-Aziz Badr, “French Ships and their Cargoes Sailing Between Damiette and Ottoman Ports 1777–1781,” *Journal of the Economic and Social History of the Orient* 37, no. 3 (1994): 251–86, at 258.

<sup>49</sup>Crecelius and Badr, “French Ships,” 262. During the crusades the Europeans viewed the Nile at Damietta with great foreboding. They “had to gaze across it for fourth months in 1219 before they found a way to get to the city itself.” It was, for them, “a moody river” which disgorged crocodiles and corpses. Cassidy-Welch, “O Damietta,” 348.

<sup>50</sup>Masson, *Histoire du Commerce Français*, 603.

<sup>51</sup>Masson, *Histoire du Commerce Français*, 603–4.

that the Aga of the city would not let him unload his wine, due to orders from Istanbul that forbade the import of wine into the empire.<sup>52</sup> For most of the eighteenth century, Damietta was the only Egyptian port without an official French representative.<sup>53</sup> Thus it seems that, similar to Alexandria, there was a policy in place to limit access by outsiders; in the case of Damietta this determination was assisted by the physical difficulty of accessing the port.<sup>54</sup>

Given the physical characteristics of the area, the size of the sailing vessel could also be a source of security. Clearly Licudi's ship was small enough for him to enter the river or else he would not have been in the *boğaz*.<sup>55</sup> Presumably, Giovanni's ship was too large, which was why he did not physically follow Licudi into the Nile. Unfortunately, the only words used to describe Giovanni's ship are generic ones—*vascello* and *nave*—but both these words suggest a larger ship, as does the fact that the corsair ship carried a smaller vessel, a *filuga* (felucca), which was sent to carry the

<sup>52</sup> Vansleb, *Present State of Egypt*, 65.

<sup>53</sup> Crecelius and Badr, "French Ships," 256 and T. Philipp, *The Syrians in Egypt, 1725–1975* (Stuttgart: Steiner, 1985), 24, on the absence of a French consul.

<sup>54</sup> Although the physical presence of French merchants was carefully controlled, there was clearly an appetite for French merchandise. We know this because as early as the 1730s, the French consuls in Cairo were complaining about Syrian Christians from Damietta showing up in Cairo, selling French textiles at cut rate prices. This testifies to Damietta's status as a rogue port, at least from the point of view of state authorities. The absence of an official French representative thus allowed French ships, which went to Damietta to buy cargoes of rice, to sell textiles on their own account for less than the monopoly price established by the Marseille Chamber of Commerce, given that there was no one there to stop them. T. Philipp, *The Syrians in Egypt*, 24.

<sup>55</sup> In the literature Greek boats are invariably described as small. Sabatier, "La Caravane Française," 188, writes that the corsairs liked to prey on Damietta because the boats tended to be small and not well-armed. It seems that Licudi's boat was equipped with at least some arms because arms (*armi*) are included in the order for restitution: Conti and Mormorai, *Relazione*, 4. A *sambeco* was a combined sailing and oared ship. The use of the diminutive, *sambecchino*, in the text indicates a small ship. Giuseppe Boerio, *Dizionario del Dialecto Veneziano*, 2nd ed. (Milan: A. Martello, 1971), 597. Apostolos Delis describes a *sambecchino* as a small chebec, the classic Mediterranean sailing ship used primarily for trading. Apostolos Delis, "From Lateen to Square Rig: The Evolution of The Greek-Owned Merchant Fleet and its Ships in the Eighteenth and Nineteenth Centuries," *The Mariner's Mirror* 100, no. 1 (February 2014): 44–58, at 46. The Italian antiquarian Giovanni Mariti, on a voyage along the Syrian coastline toward the end of the eighteenth century, mentioned an encounter with a "Sambecchino di Damiatia," suggesting perhaps that this type of ship was associated with Damiatia. Giovanni Mariti, *Viaggio di Gerusalemme per le coste della Soria* (Livorno: Stamperia di Tommaso Masi, e compagni, 1787), 84.



initial note to Licudi.<sup>56</sup> The *Kitab-i Babriye* of Piri Reis supplies the valuable information that inland waterways were associated with security from corsairs and were remembered as such by Ottoman mariners. In his entry on the Egyptian port of Rashid—Damietta’s twin, if you will, since both sit at a point where the Nile enters the Mediterranean—he gives the following story:

To the east of these three islands there is a channel (*boğaz*) that is located five miles from the Reşid channel. Arab seamen (*Arab taifesi*) call this channel Mağindal while Turkish seamen (*Türk taifesi*) call it Sarı Ahmed Boğazı. Small ships may enter this channel. The small ship of a skipper they called Sarı Ahmed was once pursued here by an infidel galley (*barcha*). He suddenly came upon this channel and entered it thus saving himself. Ever since then, Turkish seamen have called the channel by that name.<sup>57</sup>

Unlike in, say, the port of Modon, corsairs could not simply sail into the port of Damietta, a distinction which renders them two very different types of places.

Was Licudi in the *boğaz* because he was hiding? Had he spotted the corsair ship and thus fled the *rada* in order to load his ship in the safety of the *boğaz*? This is difficult to know for certain, but the answer is probably no. The *boğaz* could not have been an easy place to load. Navigation at the point where a river meets the sea is always difficult and we know this was true at Damietta as well. Entry into the Nile was difficult enough and sometimes even that was not possible because of the rip current.<sup>58</sup> The port of Damietta itself (in front of the city) would have been far preferable. Greek ships were commonplace at Damietta so it is most likely that Licudi had entered the *boğaz*, with the intent of sailing to the city’s port, when he received the note from the corsair.<sup>59</sup>

<sup>56</sup> Bartolommeo and Marzucchi, *Raccolta*, 132.

<sup>57</sup> The Ottoman Turkish text is in Piri Reis, *Kitab-i Babriye*, 717. The English translation appears in *Piri Reis: the Book of Babriye*, ed. Bülent Özüken (Istanbul: Boyut Yayıncılık, 2013), 224.

<sup>58</sup> Masson, *Histoire du Commerce Français*, 408. Also see note 49 (above) for the foreboding with which the crusaders viewed this spot.

<sup>59</sup> The Italian is rather ambiguous. “Egli era entrato nel Bugasso di Damiaa col Sambecchino per caricarlo.” Bartolommeo and Marzucchi, *Raccolta*, 133. This could seem to be saying that he was loading his *sambecchino* in the *bugasso*, but for reasons I explain above, it makes more sense to read it as saying that he was in the *bugasso*, headed for the port

An intriguing detail in the document also suggests that Licudi was not hiding in the *boğaz* but was rather in transit. The two men, the court case tells us, knew each other well; they had previously done business together. What is more, the court saw this previous acquaintance as another example of Giovanni's bad intent (*mal animo*), which implies that Giovanni exploited his acquaintance (or friendship?) with Licudi to entice him to leave the *boğaz* for the *rada*.<sup>60</sup>

If it was enticement, as the court clearly believed it was, then most likely Licudi saw an opportunity, and decided to take the risk and seize it. In other words, prior to the note from Giovanni's ship, the Greek merchant had been engaged in an ordinary commercial trip, one of the many small ships sailing between the Egyptian coastline and other nearby areas, be they the Aegean islands or the Syrian coast. Then he was given an opportunity, human cargo, in the form of the "Moorish slaves," which was always the most lucrative commodity in the Mediterranean. But in order for Licudi to take possession of this precious cargo, he would have to sail into the *rada*. Let us turn our attention now more directly to this second significant space.

Despite the fact that the two men knew each other, the sea captain would only venture into the *rada* with a letter of assurance from the corsair, further underlining his decision to take a risk. Indeed, the court said as much: "he sent him the note in order to induce him to come out and anchor in the Rada."<sup>61</sup> The risk was not a navigational one; the *rada* was clearly the place where ships preferred to drop anchor, at least those ships that were not sailing down to Damietta itself, either because they were not allowed or because they were unable. Rather the risk was exactly that which befell Licudi, the risk of a pirate attack. The *rada* was strikingly unguarded. A full six days passed between when Giovanni first issued the *biglietto* and when he launched his attack, but no port authorities appear on the scene at all. By contrast, the port of Alexandria also had a roadstead, used when the weather made entry into the port itself difficult, but this roadstead was guarded by about fifty janissaries from a fortress on the

of Damietta. See Masson, *Histoire du Commerce Français*, 407, for the presence of Greek boats at Damietta.

<sup>60</sup> "Il fatto stesso mostra ad evidenza la frode, e il suo mal'animo; poichè ben conoscendo il Capitano Licudi, avendo seco prima trattato..." Bartolommeo and Marzucchi, *Raccolta*, 132–33.

<sup>61</sup> "Li passò il biglietto per indurlo ad uscirlo, ed ancorarsi nella Rada." Bartolommeo and Marzucchi, *Raccolta*, 133.

shore.<sup>62</sup> The authorities in Damietta, then, seem to have taken the decision that they were not going to invest any resources into protecting the roadstead. The city's port was very secure, due to its geography—we may recall that the German traveler Vansleb was not even allowed to bring wine into the city—but when approaching or leaving the port, ship captains were on their own. For sea-captains like Licudi, then, the roadstead of Damietta was a double-edged sword. On the one hand there were opportunities for illicit commerce (surely, he would not have been able to buy Moorish slaves in the port of Damietta itself) but that illicit commerce was dependent upon the absence of the very port authorities who might have deterred an attack by someone like Giovanni.

Giovanni did, however, dangle at least the promise, if not the reality, of security, in the form of the *biglietto*. What was this document? The first thing that can be said is that it was a document that was recognizable to all parties concerned. Giovanni expected it to mean something to Licudi and clearly it did. Giovanni also knew that the legal authorities, in this case in Florence, took the *biglietto's* promise of security and freedom from molestation seriously. Otherwise he would not have gone to the trouble of sailing away from the roadstead only to return several days later, precisely to elude the promise that he had given. Therefore, it had some legal weight and the court faulted Giovanni for violating it. A consideration of what the *biglietto* was meant to do, what it promised to do, suggests that it was some kind of safe-conduct. Across the Mediterranean, in both the Islamic and Christian worlds, we know that private individuals could and did grant other private individuals safe-conduct. The topic is little explored, and even then only for the medieval period, and thus we must be cautious. Nevertheless, this seems to fit the circumstances of the *biglietto*.<sup>63</sup>

As mentioned earlier, the port of Damietta itself is nearly invisible in the account. But of course it was an essential part of the story. The port acted as a magnet, drawing ships in from across the Levant and the Aegean. Thus the coastline, the *rada*, was a good place for a pirate to go in search of ships to raid. For the merchant ships sailing to Damietta, too, the *rada* offered the opportunity to combine licit business—trading in the port

<sup>62</sup> The “rade of Aboukir” was about 15 miles to the east of the port itself. Masson, *Histoire du Commerce Français*, 405.

<sup>63</sup> G. P. Bognetti, “Note per la storia del passaporto e del salvacondotto,” *Studi nelle scienze giuridiche e sociali pubblicati dall’istituto di esercitazioni presso la facoltà di giurisprudenza* 16 (1931): 269–323. I thank Ian Hathaway, whose recently (2019) completed dissertation is on paperwork in the early modern Mediterranean, for this reference and for his valuable insights on the question of the *biglietto*.

itself—with the riskier transactions that took place in the *rada*. In this case things turned out badly for Demetrio Licudi but surely some of these impromptu deals worked out well for both parties. Otherwise Giovanni's initial suggestion—an inquiry about the purchase of *sego* and the offer to ransom his Moorish captives—would not have made any sense. After all, pirates needed to sell their goods and on the spot ransoming was common.<sup>64</sup> Relying again on Vansleb, we can see the symbiotic relationship between ports and pirates. When he was visiting Rosetta, he learned from the janissaries that a “pirate of Malta” was sailing in front of the harbor, waiting for ships departing the city's harbor to appear. Vansleb was not allowed to go near the shore, for fear that he would pass on valuable intelligence about ship departures to the Maltese.<sup>65</sup>

Damietta made a very favorable impression on Vansleb:

The great number of beautiful *Mosques*, together with the Fleet of ships and Barques that ride in the Haven, yield a most delightful Prospect. There are no Walls, nor Fortifications, only a round and very high Tower, that stands at the end of Town towards the Sea.<sup>66</sup>

It is striking how very different conditions were, just a few miles away, at the *rada*, where Licudi and Giovanni played an extended game, lasting almost a week, with no response from the city at all.

Before turning to more general remarks, one puzzle of the *rada* must be acknowledged and it is this. As we have seen, various contemporary sources speak with enthusiasm about the *rada* as a very good place to drop anchor. Of course it would make no sense to do so if there were no *germe* waiting there to both load and unload goods. But the *germe* were there—Licudi was able to avail himself of their services—and they were the vital link between the *rada* and the port of Damietta. They carried merchandise up and down the Nile. Why was there no attempt to protect them, both in this case and more generally? There is no mention of Giovanni attacking the *germe* although we know from French sources that on some occasions the Maltese did just that.<sup>67</sup> It is possible, of course, that they were seized but that the court case makes no mention of it, since it was not relevant to the issue at hand.

<sup>64</sup>White, *Piracy and the Law*, 56.

<sup>65</sup>Vansleb, *Present State of Egypt*, 106.

<sup>66</sup>Vansleb, *Present State of Egypt*, 67.

<sup>67</sup>Sabatier, “La Caravane Française,” 188.

## EGYPT'S PORTS IN COMPARATIVE PERSPECTIVE

Having used this incident as a way of grasping the specific features of one Ottoman port, we can conclude by looking at Damietta in comparison to the other two Egyptian Mediterranean ports, Rosetta (Arabic, Rashīd) and Alexandria. Although the method is comparative, the goal is the same: to bring individual Ottoman ports into sharper relief, beyond the general narratives of Ottoman maritime prowess, or lack thereof, and incorporation into the global economy. Neither one of these narratives provides a satisfactory explanation for the differences between Damietta and Rosetta.

Alexandria's fortunes sank during this period. The already narrow canal that connected the city to the Nile fell into complete disrepair, such that it could no longer be used for transport after 1650. The city's water shortage became acute.<sup>68</sup> Despite the difficulties, Alexandria's remained the only harbor that could accommodate large ships and so it continued to be an important place. Ships would anchor there and wait for the *germe* to bring cargo from Rosetta. Thus Rosetta, on the Nile, emerged as an important center for the transshipment of goods from Cairo. A substantial investment in the city's development was likely related to this change. A merchant guide from the second half of the eighteenth century wrote that "Rosetta is all new built, of which the Foundation was laid not much above a hundred years ago."<sup>69</sup> The author continued:

The Trade here is so much augmented, more especially since the Beginning of this century, that this City is now one of the most powerful in Egypt, and carries on a considerable Trade in the Commodities that its Neighborhood produces, with those brought in from Cairo, and those imported by the Greeks in their Saicks from the Archipelago.<sup>70</sup>

Vansleb's travelogue suggests that in the seventeenth century Damietta was the more important of the two, although why this should be is less clear. He said much more about Damietta, which he described as "a

<sup>68</sup> Reimer, "Ottoman Alexandria," 112. But see Alan Mikhail's *Nature and Empire in Ottoman Egypt: An Environmental History* (Cambridge: Cambridge University Press, 2011), 151 where he suggests that, prior to the nineteenth century, navigation between Alexandria and the Nile had never been possible.

<sup>69</sup> Reimer, "Ottoman Alexandria," 113, quoting from Wyndham Beawes' *Lex mercatoria rediviva, or the merchant's directory* (London: Printed for J. Rivington, T. Longman, B. Law, S. Crowder, T. Becket, T. Cadell, Robinson and Roberts, and R. Baldwin, 1771).

<sup>70</sup> Reimer, "Ottoman Alexandria," 114.

famous city of Egypt” and “Next to Cairo it is the greatest, most beautiful, the richest, most populous and the fullest of Merchants of all Egypt, for the convenience of Trade draw thither a great number of People from all parts of Turkie.”<sup>71</sup>

But putting aside their relative fortunes, by the eighteenth century the two cities were very different places, despite the fact that they were similar in terms of being inland ports. The presence of the central state, whether in terms of provisioning and infrastructure, ecclesiastical authority or diplomatic representation, was palpable in Rosetta; these institutions were largely absent in Damietta. A good point of comparison is the entryway to the Nile from the Mediterranean, a geography that both cities shared.

At Rosetta, as at Damietta, the entryway from the sea into the Nile, the *boğaz* in the court case, was a sensitive spot. However, many more resources were poured into guarding the entryway at Rosetta. We may recall that at Damietta Vansleb noted only “some Artillery” and “a few Moors.” At Rosetta:

One hundred fourscore and four Janissaries are there in garrison. They lye every night in the garrison but in the day-time they have liberty to go into the city to work for their living. It is furnished with threescore and fourteen pieces of cannon, seven are of an extraordinary bigness. The Aga that Commanded here in chief was a Spanish Renegado.<sup>72</sup>

The most plausible explanation for the greater concentration of manpower and firepower is the greater presence of the Ottoman state at Rosetta; the central archives in Istanbul are full of decrees mandating the shipment of vast quantities of coffee, rice, sugar, lentils, and flax from Rosetta to Istanbul, and the port boasted grain storage facilities (*wakala*) to facilitate the shipment of grain to the capital.

None of this appears to have been present in Damietta, which, by comparison, was both less protected and less regulated (Licudi’s double-edged sword).<sup>73</sup> Eighteenth-century French consular reports singled it out as the port most preferred by corsairs because of a felicitous combination: the cargo was valuable (silk) or easy to sell (rice) and the boats were small and

<sup>71</sup> Vansleb, *Present State of Egypt*, 67. Masson also describes Damietta as “the finest built city in Egypt after Cairo” in the seventeenth century. Masson, *Histoire du Commerce François*, 406.

<sup>72</sup> Vansleb, *Present State of Egypt*, 105–6.

<sup>73</sup> Mikhail, *Nature and Empire*, 104–5 and 85.

not well armed.<sup>74</sup> Despite repeated attempts, the French (the most important European trading partners by far in the eighteenth century) were never able to establish a foothold in Damietta similar to that which they enjoyed in Rosetta. In the latter city there was a French vice-consul, a small merchant community, and a Franciscan convent; none of these things existed in Damietta.<sup>75</sup> The reason was local resistance. Although the French complained about all the Egyptian Mediterranean ports, Damietta had the reputation as the one most hostile to Europeans.<sup>76</sup>

The two cities' maritime populations were distinctive and reflect the divergent orientation of the ports, even though their principal exports, rice and coffee, were the same. Damietta was a regional port.<sup>77</sup> Ships in and out of Damietta were from the Syrian coast, the southern coast of Anatolia, Crete and Cyprus, while Alexandria and Rosetta supplied the important cities of Thessaloniki and Istanbul.<sup>78</sup> In all three cases the merchants, the sailors, and the ship owners were not Arab Egyptians but rather Christians and Muslims who came to Egypt from other parts of the empire.<sup>79</sup> But in Rosetta the Aegean islands and the northern shores of the Mediterranean were especially well represented, a sign of the city's connection to places beyond the Arab lands. Muslim Turks—that is, Muslims from Thessaloniki, from the islands of the southeastern Aegean and southern and southwestern Anatolia—were prominent in Rosetta. They left behind tangible signs of their prosperity, monumental brick

<sup>74</sup> Sabatier, "La Caravane Française," 188. The Greek petitioners who went to Malta to try and recover goods which had been taken from them in a corsairing attack were most often attacked as they were leaving Damietta. Molly Greene, *Catholic Pirates and Greek Merchants: A Maritime History of the Mediterranean* (Princeton: Princeton University Press, 2010), 117.

<sup>75</sup> Greene, *Catholic Pirates and Greek Merchants*, 124 and Peter Gran, *Islamic Roots of Capitalism* (Austin: University of Texas Press, 1979), 27. It is true that the convent was destroyed more than once by the local population but it was always rebuilt.

<sup>76</sup> Masson, *Histoire du Commerce Français*, 604. An attempt to install a vice-consul in 1731 failed. Philipp has this to say: "This was the one Egyptian port where the French consuls and the Chamber of Commerce of Marseille could not exert their control. It was here that the Greek Catholics achieved their first important entry into the trade with Europe—much to the chagrin of French merchants, in Alexandria, Rosetta and Cairo." Philipp, *The Syrians in Egypt*, 24.

<sup>77</sup> Crecelius and Badr, "French Ships," 272.

<sup>78</sup> Crecelius and Badr, "French Ships," 257. Eyal Ginio, too, notes the close connection between Thessaloniki and Rosetta. "When Coffee Brought About Wealth and Prestige: The Impact of Egyptian Trade on Salonica," *Oriente Moderno* n.s., 25 (2006): 93–107.

<sup>79</sup> For a discussion of the origins of the maritime communities in Rosetta and Damietta see Greene, *Catholic Pirates and Greek Merchants*, 122–31.



dwellings that rise four or even five stories high, twenty-two of which are still standing in the city. Syrians were far more prominent in Damietta and this shows in the profiles of the *yazıcis* or shipping agents who served on board each departing ship.<sup>80</sup> In Damietta the *yazıcis* tended to be natives of the Syrian ports. The *yazıcis* in Rosetta were Muslim Turks, often from Rhodes and Kos.<sup>81</sup>

Starting in the early eighteenth century, Damietta was also home to a very particular Christian population, namely newly arrived Syrian Catholics. One of the earliest references is to the Sabbagh brothers, who set up shop in Beirut, Sidon, Acre, and Damietta.<sup>82</sup> The decision of the Syrian Catholics to settle in Damietta, not Rosetta, underlines the former's relative autonomy from the central state and shows that contemporaries recognized the ports as two very distinct places. The Greek Orthodox community in Damietta was not well organized and thus the Syrian Catholics could expect to be relatively free from harassment by Orthodox authorities.<sup>83</sup> Although an Egyptian port, Damietta belongs with the far better studied ports along the Levantine coast that emerged as centers of local autonomy at this time. Syrian Catholics flocked to places like Acre because strongmen like Zāhir āl-ʿUmar could protect them from harassment by Greek Orthodox authorities who, unlike the Catholics, enjoyed official Ottoman recognition.<sup>84</sup>

And yet at the same time illicit trade between locals—especially the Syrian Catholics—and French captains was ongoing throughout the eighteenth century. The bargain seems to have been the illegal French export of rice (illegal because the export of rice from the Ottoman Empire was forbidden) in exchange for the illegal sale of French cloth to the Syrians. The latter was illegal because the captains sold the cloth below the official price set by the Chamber of Commerce, precisely to prevent French traders from undercutting each other. And they were able to do this in Damietta because there was no vice-consul there to prevent it. The Syrian

<sup>80</sup>His job was to receive the merchandise from its owner and to certify that it had been loaded on board. Crecelius and Badr, "French Ships," 251 and 268.

<sup>81</sup>I thank Zoe Griffith for this very valuable information from the court records of Damietta and Rosetta. Email correspondence February 28, 2016.

<sup>82</sup>"Damiette is the earliest base of the immigrants in Egypt." Philipp, *The Syrians in Egypt*, 21.

<sup>83</sup>Although they did pay an annual tribute to the Orthodox Patriarch in Alexandria in order to keep the peace. Philipp, *The Syrians in Egypt*, 21.

<sup>84</sup>Philipp, *The Syrians in Egypt*, 25.

Catholics then turned around and sold French cloth in Cairo for less than the price being asked by the French merchants there. French consular reports from Cairo complain about this from the 1730s onward.<sup>85</sup>

Rosetta and Damietta had much in common. Both were inland ports with limited access to larger ships, due to the difficulties of navigating the Nile.<sup>86</sup> Both were surrounded by fertile hinterlands devoted to rice paddies and both were major exporters of rice. And yet they were very distinct places. The association of ports (and particularly Ottoman ports) with weak state authority is not helpful in understanding this distinction, because the distinction is precisely that the state was much more present in one port than another. Nor is it helpful to rank the two cities in terms of integration into a world market, another common approach. Both cities had connections to larger economic currents, but they were connected in different ways. Rosetta looked north, both in terms of its maritime population and the trade that gave the city its *raison d'être*. Because of its role in servicing Thessaloniki and Istanbul, it can be called an imperial port and perhaps because of this, it seems to have been a more transparent place. Government storehouses were there and a French vice-consul was able to install himself, despite some local resistance.

The roots of Damietta's distinctiveness are harder to trace. It seems to have been very much the product of the people who used it, rather than any initiative emanating from Istanbul or Cairo, and it was difficult for outsiders to penetrate it. Its trading ties were more local and the port's maritime population reflected that, being made up of Greeks from the Archipelago and Syrian migrants. Given their uncertain status within the empire, the Catholics from Syria must have found in Damietta the perfect place to live relatively freely. Was there a connection between their liminal religious identity and their proclivity toward illicit trade?

Finally, it is not only the commercial fortunes of the Egyptian ports that must be traced over time. The very ports themselves changed due to the nature of the Nile. Alan Mikhail has already shown, in masterful detail, how the silting of the Nile could change the very geography of rural Egypt. New areas of land emerged, others disappeared, and the peasants

<sup>85</sup> Philipp, *The Syrians in Egypt*, 24. According to Philipp, the trade in cloth was consistent enough and lucrative enough that the Syrian traders made their first fortunes in Egypt with smuggled merchandise from France, by underselling the accredited French merchants.

<sup>86</sup> Despite its development in the eighteenth century, Rosetta's shipping access did not improve. In fact, Masson wrote that by then the Nile at Damietta could accommodate larger ships than Damietta. Masson, *Histoire du Commerce Français*, 603.

ended up in court to resolve the disputes that came out of the shifting landscape.<sup>87</sup> This environmental reality seems to have affected the ports themselves, in both cases to their detriment as the river became shallower and shallower. Vansleb noted that the customs house at Rosetta had not always been there. Previously it had been further up the river, at a place called Geziret Iddahab, but it had to be moved since “in time the river became so shallow here that the Barques being not able to come so far, the Customs house hath since been established at Rosetta, where it continues yet.”<sup>88</sup> In Damietta a local informant (Vansleb describes him as a mariner and a Maronite) told him that “the River Nilus grows shallower every year” and he feared that at some point larger ships would not be able to pass from the mouth to Damietta.<sup>89</sup>

## CONCLUSION

The specificity of Ottoman ports as places tends to get lost in general statements about Ottoman engagement with, or retreat from, the maritime world. This microstudy of the port of Damietta has drawn out the distinctive characteristics of this port and provided an opportunity to consider it from the point of view of the people who used it. Ports enjoyed varying degrees of security as well as interest from the state, were used by discrete groups of people, serviced particular areas of the empire, and had their own challenges and advantages based on their topography. The Ottoman maritime world, in other words, was as variegated as the empire itself.

In this article I have argued for paying close attention to the specificity of Ottoman ports and I have tried to construct, through the available evidence, a distinct profile for Damietta, especially, but Rosetta and Alexandria as well. How does such an argument contribute to larger debates about Mediterranean connectivity and integration in the early modern period? And, regardless of whether we think the inland sea connects or divides, do ports constitute a distinct place within the sea?

<sup>87</sup> Mikhail, *Nature and Empire*, 56–57. In one case the river (a branch of the Nile) had become so shallow that a land bridge now connected an island to a village. The villagers, previously not present on the island, quickly moved in to start farming, thus provoking the ire of two other villages that had traditionally farmed on the island.

<sup>88</sup> Vansleb, *Present State of Egypt*, 103.

<sup>89</sup> Vansleb, *Present State of Egypt*, 103. According to Piri Reis, writing in the sixteenth century, galleys (*kadırga*) could sail down the Nile from Damietta all the way to Cairo. Piri Reis, *Kitab-i Bahriye*, 721.

The Mediterranean Sea has figured prominently in the literature on borderlands, by which is meant a place where “two societies meet and overlap.”<sup>90</sup> In this case, the two societies, at the most abstract level, are Christendom and Islam. Rather than clash and conflict, the borderland is characterized by “similarities, influences, and exchanges.”<sup>91</sup> One way of distinguishing the borderland from other areas is to think in terms of “high-contact zones” and “low-contact zones”; people in the former must routinely manage their interaction with “others,” something which those in low-contact zones rarely encounter.<sup>92</sup> Viewed this way, it is really the ports of the Mediterranean—rather than the sea itself—that constitute the borderland. This is not only because so many of the activities that we associate, rather vaguely, with the sea, from trade to war, tend to take place in and around ports. It is because it is in ports that routines for interacting with the other are most developed.

If Rosetta and Damietta were distinct places, as I hope this article has shown, then it follows that we cannot assume that Mediterranean ports, simply by being ports, connected and integrated the Mediterranean. Certainly they did not do so in a uniform fashion. Rather each port connected specific groups of people with specific places. And ports could refuse, as well as embrace, connection. This is particularly clear with Damietta in its steadfast determination to prevent a formal French presence in the city. But the two places were different enough that one can imagine that those who traded out of Rosetta would not find it easy to move their operations to Damietta, and vice-versa. Despite their far-flung connections, Ottoman ports were very distinct places.

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<sup>90</sup> Darling, “The Mediterranean,” 54.

<sup>91</sup> Darling, “The Mediterranean,” 54.

<sup>92</sup> Darling, “The Mediterranean,” 60.

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## AFTERWORD

*William C. Jordan*

I knew Olivia Remie Constable as the daughter of a friend and mutual medievalist long before she came to my office in Princeton three decades ago inquiring whether she could sit in on my graduate seminar on rural history. She was smart, quick, erudite, and tough. It was the start of a delightful career-long scholarly relationship. I read draft chapters of her dissertation and, when she defended, served on her PhD committee as an outside examiner (I was in History, she, in Near Eastern Studies). We saw each other many times in subsequent years. Whenever she visited Princeton to visit her parents, she made it a point to get in touch with me. We would usually have lunch, and we would bring each other up to date on our research projects. Sometimes Molly Greene, her friend from her Near Eastern Studies days, who had become my colleague in History, would join us. I also saw her on my trips to Notre Dame after she moved there. There were frequent conferences I attended, and I served once on the Visiting Committee of the History Department there. It was comforting to hear how admiring her students and colleagues were.

Remie, as everyone called her, died too young, but she left a remarkable legacy. Thomas Burman summarizes her insights on the Mediterranean and the history of the lived experience of the various peoples living along its shores in four crisp phrases: “at once a sea of swirling movement, a sea of filtering frontiers, a sea of enduring unities, and a sea of relentless

difference-making.” Remie’s capacious view of the Mediterranean is one that her colleagues in medieval studies around the globe commend and aspire to in their own scholarship. This collection of essays is testimony to that truth. The title of Molly Greene’s first book, *A Shared World: Christians and Muslims in the Early Modern Mediterranean* (Princeton: Princeton University Press, 2000), like Burman’s four phrases, also captures something of the character of Remie’s work and the underlying theme of the present collection.

For decades, indeed, centuries, Western scholars tended to emphasize the confessional differences and the consequent conflicts—ideological and violent—among the medieval Mediterranean peoples: Catholics versus Orthodox; Christians versus Muslims; piracy, privateering, and sea-based raids on coastal settlements; discriminatory taxation when the populations lived together in a polity; crusade and jihad. Of course, every historian of the region recognized that trade in ideas (especially through translation) transcended or, better stated, managed to flourish despite the conflicts. Scholars also did good work on trade in goods, even if, as Molly Greene documents in her essay in the present volume, these earlier authors did little to explicate the details of how port cities facilitated and managed trade. Thinking of the port city as a port rather than a city, as Greene does, offers a fascinating new perspective on mercantile life. Until relatively recently, what has also been understudied and underappreciated is the extent of the shared cultural practices of the Mediterranean civilizations, and although there is still much that continuing research will likely reveal, scholars have already constructed a much more panoramic picture of these vibrant interactions.

It is not that conflict has disappeared from the narrative, but it has been blended with the more integrative aspects of Mediterranean life in the Middle Ages and early modern period. The most exciting work deliberately foregoes the simple binary of destructive and productive relations. Often enough a shared idea that superficially testifies to the productive interplay of different intellectual traditions will reveal itself in documents of invective. Christian polemicists may represent Muslims as desecrators of their holy spaces and objects, observes Ryan Szpiech in his study, even as they mobilize these alleged acts in witness to the truth of the Christian faith, thus opening up the question of the Muslims’ status in salvational history. “Even programs coded for confessional polarity are saturated with

transformed identities and shared values,” writes Jerrilynn Dodds. Elsewhere in her essay, she speaks of the necessity of nuancing explanations of cultural transmission (“blindly copied models”) by searching for the “shared meanings” that made such imitation fruitful.

In the quest for understanding, however, such discoveries, complicated in their implications as they may be, get scholars closer to something like truth about the past. Occasionally, the way into the deeper insights takes the researcher into arresting byways that one might not have thought would be as fruitful as they turn out to be. As Paul Cobb shows in his essay, one still cannot be quite so certain about what the caliph, Hārūn al-Rashīd, intended by sending an elephant to the emperor Charlemagne. However, the very effort to discover the possibly multiple meanings of the gift (if it was a gift), the narrative intent of the storyteller, and the effect of both on Christians’ construction of Muslim character pushes the research agenda into areas that would have been scarcely thinkable a half century ago. Still something of a conundrum, the tale of the gift, in Cobb’s capable hands, has been raised up in epistemological status from anecdote or mere curiosity, indeed, one disserved by centuries of misreading.

Nothing stayed the same in this world. The conflictual binaries so effectively undermined in the scholarship whose themes I have referenced grew in intensity around the Mediterranean in the later medieval and early modern period. One could read Teófilo Ruiz’s essay as a bit of a rejoinder. Not everywhere were the tragedies, in this instance of Jewish life in the late Middle Ages, enacted with the same degree of savagery. His counterexample is the situation in Ávila in 1391, but Ruiz acknowledges that circumstances were quite distinctive in this city. The economic and political structures so carefully excavated in his essay, that permitted the Jewish community to survive, were a vestige of the past; they had no future. Rather, one sees the future in the  *Fortalitium fidei*  of Alonso de Espina, as hateful a rant against Jews as any medieval book I have ever read. So hateful, indeed, and therefore so attractive to polemicists and inquisitors that they mobilized it in various ways against other pariah groups as well: “witches, sodomites, skeptics and  *moriscos* .” The goal now, as Ana Echevarria notes, is to track the impact of this book in what will surely be gruesome detail. Such research will extend to other topics: Gretchen Starr-LeBeau explores the hardening of Christian practices toward suspected

groups in her study of the prosecution of Portuguese New Christians in the 1630s and 1640s, not just in the Iberian Peninsula but in the New World as well. Transcendence in this case, insofar as it is recognizable at all, was the fragile capacity of Spanish and Portuguese inquisitors, otherwise at odds, to work together to prosecute *conversos* even as the Iberian union was struggling: partial transcendence in the service of total oppression.

Under the circumstances, one becomes a witness not only to communities whose stability and livelihood inquisitors (outsiders) threatened, but also to internal dissent and exploitation, as basic social trust broke down. This may have been—indeed, I am convinced that it was—the case with respect to the role of the Abenferres clan, the subject of Brian Catlos’ essay. They were “adept” and “skillful” in playing a “delicate game of survival and ambition.” Historians, one sometimes hears, ought not to judge the people about whom they write. Perhaps this is especially true when the swirl of accusations makes it difficult to determine what really happened and who was genuinely responsible for what. How genuinely exploitative, how threatening, how abusive—sexually and otherwise—were the Abenferres? Whatever the answer, the fact that they put themselves in the position of prompting the outcries of their *mudéjar* neighbors in itself contributed to the collective weakness of the community. Only the relative indifference of the state, as long as it collected the revenues it wanted, made the situation less dire than it might otherwise have become. It was terrible enough as it was.

*Moriscos*, unlike Jews, had former co-religionists living in Muslim polities nearby. Presumably, the attitudes of converts (perhaps crypto-Muslims) toward these Muslims and vice versa were complex. Christians, as Mark Meyerson suggests in his essay, may have thought there was more collusion, say, in the form of banditry, between *moriscos* and North African Muslims than there was. Nevertheless, Christians’ fear of the possibility ought not to be discounted as a factor in how they structured their relations with the *moriscos*. Nor ought scholars to ignore the *moriscos*’ “millenarian” yearning, another point Meyerson makes, a yearning to turn back the clock on Christian triumphs in Spain. Islamic jurists in North Africa understood a great deal of what the *moriscos* were enduring, but they were divided as to the blameworthiness of those who wished to remain Muslim but did not flee Spain. Safran shows some of the mental

gymnastics of the jurists, mental gymnastics profoundly informed by various longstanding, learned, and quite complex intellectual currents of Islamic theology and jurisprudence.

“A sea of swirling movement, a sea of filtering frontiers, a sea of enduring unities, and a sea of relentless difference-making”—Olivia Remie Constable would be pleased by this collection of essays, as we were pleased, we who knew and admired her and vividly remember her intelligence, kindness, and generosity, to call her our friend. We shall ever cherish her memory.

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